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MARKUP OF H.R. 3244, H.CON.RES. 165, H.RES. 169, H.CON.RES. 206, H.CON.RES. 222, H.CON.RES. 211, AND H.CON.RES. 200

MARKUP

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

Tuesday, November 9, 1999

Serial No. 106–96

Printed for the use of the Committee on International Relations

U.S. GOVERNMENT PRINTING OFFICE
64–099 CC WASHINGTON : 2000

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MARKUP OF H.R. 3244, H.CON.RES. 165, H.RES. 169, H.CON.RES. 206, H.CON.RES. 222, H.CON.RES. 211, AND H.CON.RES. 200

Tuesday, November 9, 1999

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
WASHINGTON, D.C.

The Committee met, pursuant to notice, at 4 p.m., in room 2172 Rayburn House Office Building, Hon. Benjamin A. Gilman (Chairman of the Committee) presiding.

Chairman GILMAN. The Committee will come to order—Members please take their seats—pursuant to notice to mark up several items of legislative business.

First item is H.R. 3244 relating to trafficking in humans.

The Chair lays the bill before the Committee.

The clerk will report the title of the bill.

[The information referred to appears in the appendix.]

Ms. BLOOMER. H.R. 3244, a bill to combat trafficking of persons, especially into the sex trade, slavery and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers and through protection and assistance to victims of trafficking.

Chairman GILMAN. Without objection, the first reading of the bill is dispensed with.

The clerk will read the bill for amendment.

Ms. BLOOMER. Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled. Section 1, Short title.

Chairman GILMAN. Without objection, the bill is considered as having been read and is open to amendment at any point.

I now recognize the distinguished gentleman from New Jersey, Mr. Smith to introduce the bill.

Mr. SMITH. Thank you very much, Mr. Chairman. Mr. Chairman, I am pleased that the Committee is meeting today to markup H.R. 3244, the Trafficking Victims Protection Act of 1999, which I introduced yesterday along with the Ranking Member, Mr. Gejdenson, and seven other bipartisan cosponsors. This bill focuses on the most severe forms of trafficking, on trafficking of children into the international sex industry, on sex trafficking by force, fraud or coercion and on trafficking into slavery and slavery-like practices.

Each year, Mr. Chairman, up to a million innocent victims, of whom the overwhelming majority are women and children, are brought by force and/or fraud into the international commercial sex industry. Efforts by the U.S. Government, international organiza-

tions, and others to stop this brutal practice have thus far proved unsuccessful.

Indeed, all the evidence suggests that instances of forcible and/or fraudulent sexual trafficking are far more numerous than just a few years ago.

The problem, Mr. Chairman, is not abstract. It shatters the lives of real women and children. In Russia, for example, traffickers prey on orphanages. In a typical scenario, a trafficker will pay an orphanage director approximately $12,000 to take a group of children on a field trip to a local McDonalds, for example. Groups of children will then leave the orphanage with the trafficker, never to be seen or heard from again.

It has been estimated by one leader of an NGO that approximately $24,000—that is the going price, Mr. Chairman, $24,000 per woman, who is trafficked into the United States or some other country. The problem is not just overseas. According to investigative reports I have received in the tristate area, including my home State of New Jersey, there are thousands of women involuntarily working. These are women who came to the United States in response to advertisements for reputable jobs such as waitresses, housekeepers, nannies and the like. They were provided passports and visas and transported to the United States.

When they arrived in the U.S., they were told that the jobs had already been filled, but they were still indebted for the costs of the trip, anywhere from $15,000- to $40,000. Many of these helpless women have been forced to work as prostitutes until they pay off their debts.

Part of the problem is that current laws and law enforcement strategies in the U.S., as well as in other nations, often punish the victims more severely than they punish the perpetrators. When a sex-for-hire establishment is raided, the women, and sometimes children, in the brothel are typically deported if they are not citizens of the country in which the establishment is located, without reference to whether their participation was voluntary or involuntary and without reference to whether they will face retribution or other serious harm upon return.

This not only inflicts further cruelty on the victims, it also robs—leaves nobody, I should say, to testify against the real criminals and frightens other victims from coming forward.

My original bill, Mr. Chairman, introduced along with our colleague, Marcy Kaptur, focused only on sex trafficking because we believe this is the most egregious and the fastest growing form of trafficking of persons, and because we wanted to include tough penalties against traffickers and against governments that are part of the problem rather than part of the solution.

At the strong suggestion of Mr. Gejdenson, the new bill recognizes that there are other forms of trafficking, such as trafficking into literal slavery or into forms of indentured servitude that amount to slavery, and in which trafficked women are often subjected to brutal treatment, including rape, that call for the same tough approach toward traffickers and the same compassion for the victims.

H.R. 3244 punishes, and I quote, "severe forms of trafficking in persons," which are defined as sex trafficking with children, sex

trafficking induced by force, fraud, or coercion, and trafficking of persons into involuntary servitude or slave-like conditions by force, fraud, or coercion. This legislation seeks the elimination of these gross human rights violations by a comprehensive, balanced approach of prevention, prosecution and enforcement and victim protection.

The Trafficking Victims Protection Act modifies U.S. criminal law to provide severe punishment for persons convicted of severe forms of trafficking in persons. This includes those who recruit, transport, purchase and sell victims, as well as those who manage or share in the proceeds of the trafficking enterprises. It directs the State Department to include in its annual country reports on human rights information regarding countries involved in severe forms of trafficking and the extent to which their governments are involved in combating or tolerating such trafficking.

It creates a statutory interagency task force to monitor and combat trafficking, which is similar to the interagency approach the Administration has already taken. It also authorizes the establishment of a State Department office to monitor and combat trafficking, which will provide assistance to the task force.

It directs the President to establish preventive programs aimed at deterring trafficking by enhancing economic opportunities for potential trafficking victims and increasing public awareness of the dangers of trafficking and the protections that are available to victims. It provides increased protection and assistance for victims of severe forms of trafficking, both in the U.S. and abroad, by funding assistance initiatives and protecting certain victims from being deported from the U.S. if they are likely to suffer retribution or other harm.

The bill establishes minimum standards for countries that have significant trafficking problems. These governments should punish these egregious forms of trafficking for what they are—kidnapping, rape, slavery—and they should vigorously prosecute the kidnappers and rapists and slave traders. The bill then authorizes AID to fund activities designed to help countries meet those standards, such as rewriting their laws and training their police and prosecutors. The bill also requires that the President, beginning in the Year 2002, either withhold nonhumanitarian foreign assistance to governments that fail to meet the minimal standards, or to waive that prohibition if he finds that providing such assistance is in the national interests of the United States.

So this is not a carrots-only approach, which is what the Administration seems to favor. We have carefully calibrated this approach which ultimately leaves it up to the President to decide whether to withdraw the nonhumanitarian aid, even from governments that absolutely refuse to do anything about trafficking. But the President would have to at least address the problem once a year.

The government would have to produce a list of governments that do not meet the minimal standards, and if the President explains why he wanted to keep the funding of these governments, he would have to say so in black and white. This would have the effect of putting the fight against the international slave trade at the top of our foreign policy agenda where it belongs.

Finally, the bill authorizes the State Department to publish a list of foreign persons involved with severe forms of trafficking and allows the President to impose economic sanctions against those persons.

Mr. Chairman, the Administration has been very critical of the original Smith-Kaptur Bill, and in drafting the new bill, we have tried to meet as many of their concerns as possible. Despite the many concessions we have made, I understand that the Administration still opposes the bill based on what they erroneously call "mandatory sanctions."

Let me be clear about what this bill does and what it doesn't do:

It contains no trade sanctions and no mandatory sanctions at all. It provides for waiverable conditionality on nonhumanitarian U.S. foreign assistance for governments that fail to meet minimal standards in fighting organized crime enterprises that subject women and children to unspeakable horrors.

The State Department has argued that what the problem governments need is advance notice and assistance in order to address these complex problems, but this bill takes that concern into account as well. It authorizes AID to assist countries in their efforts to meet minimal standards and delays the conditionality on nonhumanitarian foreign aid for 2 years, until the Year 2000.

Chairman GILMAN. The gentleman's time has expired.

Mr. SMITH. I thank you, Mr. Chairman. I do want to thank my many cosponsors, including again Mr. Gejdenson, Ms. Kaptur, Louise Slaughter, the Ranking Member of our Subcommittee, Cynthia McKinney, and all the original cosponsors, for their support for this legislation.

Chairman GILMAN. I thank the gentleman. I want to commend the gentleman from New Jersey, the distinguished Chairman of our International Operations and Human Rights Subcommittee, Mr. Smith, and the Ranking Minority Member of that Subcommittee, Congresswoman McKinney, for their excellent work on their Trafficking Victims Protection Act. In addition, I want to thank the Ranking Minority Member of our Full Committee, Mr. Gejdenson, for his work on this important measure.

There are few things in this world that are as demoralizing or degrading to the humor spirit as having to sell one's body or one's child in order to survive. Criminals who initiate or help to facilitate such transactions are at the lowest end of the human spectrum. H.R. 3244 will help to end the trafficking of persons into the sex trade and into the slavery-like conditions by requiring various important governmentwide action, such as requiring our President to establish an interagency task force to monitor and combat trafficking, chaired by the Secretary of State and requiring the Secretary of State to report to Congress annually on the status of severe forms of trafficking, beginning in Fiscal Year 2002 for each country that fails to meet the minimal standards.

The President is going to have to notify Congress about the steps that we are taking to adequately respond. The bill authorizes the Secretary of State to compile and publish a list of foreign persons involved with a severe form of trafficking in persons, directly or indirectly, in the United States and to take appropriate action. H.R. 3244 further allows the President to impose international emer-

gency economic powers, IEEPA, sanctions against any foreign person on that list and requires that he report to Congress any such sanctions.

In closing, I note that the Trafficking Victims Protection Act is an important initiative that will help put an end to the serious problem and must be boldly addressed with no holds barred. I commend the Subcommittee on International Operations and Human Rights for their work, and I urge my colleagues to support the bill.

I recognize the gentleman from Connecticut, the Ranking Minority Member, Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman, I would like to first commend both Mr. Smith's staff and my staff—Joseph Rees on his staff and Aletea Gordon, David Abramowitz, and Peter Yeo on my staff—for the great work they have done here, coming up with what I think is a terrific product. Obviously, at least this Member of Congress, when I got here, never thought that as we approached the millennium we would have a situation where even in the United States tens of thousands of women and children are trafficked regularly. Only occasionally do those stories of Mexican-Americans brutalized, years of selling trinkets on the streets of our major cities, make the papers. Trafficking of any kind is something that clearly should have ended long ago.

I really want to commend my colleague, Mr. Smith from New Jersey, for his cooperation in working out the language on this bill. There was never a debate on the goals—we all agreed on what we wanted to do—the questions was on how to best get there, and I think the staff has done an excellent job providing broad prosecution and enforcement provisions in this bill to make sure that every kind of trafficking is dealt with.

Obviously we are not done here today; this is going to take some time with the other countries of the world. But it is clearly something that is very important.

Again, I want to thank all the staff, but particularly Alethea Gordon of my staff for the great work she has done on this. Thank you.

Chairman GILMAN. Thank you, Mr. Gejdenson.

Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman.

While I certainly support the worthy cause of this legislation and do not want to vote against it, and will not—it is important, of course, to help stop the sex trade trafficking and slavery to prosecute those engaged in such reprehensible actions and assist the innocent victims of those crimes—I raise concerns about the funding of this new foreign policy priority.

What are we going to cut to fund the extensive aid and administrative provisions in this bill? The bill authorizes $31.5 million in Fiscal Year 2000, $63 million in Fiscal Year 2001—that is $94.5 million over the next 2 years.

Now, all too often in the past, the financial support for new initiatives of this kind has come from reducing agriculture and food aid. Since the beginning of the Clinton Administration, Public Law 480 food aid funding has decreased about a half-billion dollars—this at a time when America's farms are facing crisis and food needs around the world continue to be acute. For all of the Administration's claims to feel the pain of Nebraskans and other Amer-

ican farmers, it has seemingly increased that pain by slashing food aid by over a half-billion dollars.

Here are the facts. For Fiscal Year 1993 to Fiscal Year 1999, Title I, Public Law 480, decreased 50 percent; Public Law 480, Title II, emergency donated food aid, a very major decrease there. It is constant, but if you take a look at the adjustments for inflation, it is a real decrease. Public Law 480, Title III, incredibly slashed from $312 million down to $25 million, a 92 percent cut.

Yet, over the past year, we have increased microenterprise, child survival and population assistance. While I certainly do not oppose those programs—in fact, I am an original cosponsor of things like the child survival ones—I do not support increasing them at the expense of food aid. We simply can no longer go about increasing these programs by taking away funding from the Public Law 480 program which harms the American farmer and harms hungry people around the world.

Now, the gentleman is not forcing us to do that. But, in fact, when he is proposing additional authorizations, over $90 million in authorization—$94.5 million exactly—in the next 2 years, it has an effect upon other Federal accounts. I think that East and West Coast Members need to remember that it is Members of America's heartland agriculture district that provides the needed votes to pass the foreign assistance legislation, typically. Without our votes, there would be no child survival funding, no population assistance, no sex trafficking task force.

Yet, we look at these programs that are a direct benefit not only to hungry people around the world—they are a direct benefit to our constituents. We say the cuts continue from the authorization; we add new authorizations, we don't add new money.

I want to bring this to my colleagues' attention, hoping that they will be more sympathetic to efforts to stop the reduction in Public Law 480 funding. To the Administration, I ask the question, how can you justify these huge cuts, the one-half billion dollars in Public Law 480?

Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Bereuter.

Ms. McKinney—who has laryngitis—do you want to submit a statement for the record?

Ms. MCKINNEY. Yes.

Chairman GILMAN. The statement will be submitted and made a part of the record.

[The information referred to was not available at time of print.]

Chairman GILMAN. Are there any other Members seeking recognition?

Mr. SMITH. Mr. Chairman, I have an amendment at the desk.

Chairman GILMAN. Mr. Smith has an amendment at the desk. The clerk will read the amendment.

[The information referred to appears in the appendix.]

Ms. BLOOMER. Amendment offered by Mr. Smith on page 6, line 25, immediately following section——

Mr. SMITH. I ask unanimous consent that the amendment be considered as read.

Chairman GILMAN. Without objection, the amendment is considered as having been read.

Mr. SMITH. Mr. Chairman, this is a——

Chairman GILMAN. I recognize Mr. Smith for 5 minutes on his amendment.

Mr. SMITH. I entered it with the Minority and I think they were in full accord. This just adds as one of the original findings that one of the founding doctrines of the United States, the Declaration of Independence, recognizes the inherent dignity and worth of all people and talks about how the United States outlawed slavery and involuntary servitude in 1865, and recognized them as evil institutions that must be abolished.

Since this is a bill that concerns itself with slavery and those kinds of abominations, it would be fitting to have this in the findings clauses.

Chairman GILMAN. Any other Members seeking recognition on the amendment?

If not, all those in favor of the amendment signify in the usual manner.

Opposed?

The amendment is agreed to.

Any further amendments on this measure? If no further amendments——

Mr. SMITH. May I make a parliamentary inquiry?

Chairman GILMAN. Mr. Smith.

Mr. SMITH. Sir, I have been advised that in order to report the bill, we need a quorum—so we would require a recorded vote on this. Is that true or untrue?

Chairman GILMAN. That is correct. We will set it aside until such time as we have a quorum present. We are calling now for a quorum. We will now proceed to the next measure. Without objection, the bill will be set aside temporarily.

Chairman GILMAN. We will now proceed to H.Con.Res. 165 relating to American policy toward the Slovak Republic.

The Chair lays the resolution before the Committee.

The clerk will report the title of the resolution.

[The information referred to appears in the appendix.]

Ms. BLOOMER. H.Con.Res. 165, a resolution expressing United States policy toward the Slovak Republic.

Chairman GILMAN. Without objection, the preamble and operative language of the resolution will read in that order for amendment.

The clerk will read.

Ms. BLOOMER. Resolved by the House of Representatives, the Senate concurring, Section 1. Findings. The Congress finds——

Chairman GILMAN. Without objection, the resolution is considered as having been read and it is open to amendment any point. The resolution is in the original jurisdiction of the Full Committee.

I recognize myself for as much time as I may consume.

I support this resolution. I was pleased to join Congressman Mica of Florida in introducing it in July of this year. Slovakia is a very important country in the region of Central and Eastern Europe, and for that reason, our Nation, our allies in the North Atlantic Alliance and the European Union have sought to build a strong relationship with it.

The collapse of communism is, however, a mere 10 years behind us, and the fall of the Berlin Wall and the end of the Communist regimes in Eastern Europe in 1989 was just the start of a very difficult process for Slovakia and many other countries in that region.

Even the most prosperous of those nations, new democracies like Poland, Hungary and the Czech Republic, continue to face difficult issues and challenges to reforms. But Slovakians have an added challenge; it has not really existed as an independent state for hundreds of years. After becoming independent in 1993, the newly independent State of Slovakia then experienced a political struggle that ensued between those who want to integrate Slovakia in the Pan-American and transatlantic institutions by carrying out real reforms, and those who are calling for such integration actually made such reforms difficult to achieve.

The parliamentary elections of September 1998 brought to power a new coalition government that appears to be working toward implementing genuine reform and ensuring that the rights of all citizens of Slovakia are respected, regardless of ethnic background. I believe that this resolution is a timely expression of our support for the new government in Slovakia and for the process of economic and political reforms in that country.

It also makes it clear that the United States supports Slovakia's eventual integration and the ban of European and transatlantic community of democratic states.

Accordingly, I support the passage of this resolution and I urge my colleagues to support it.

Are there any other Members seeking recognition?

Mr. GEJDENSON. Mr. Chairman.

Chairman GILMAN. Mr. Gejdenson.

Mr. GEJDENSON. We are going to lose all of our Members in a little bit, and we want to vote on the sex trafficking bill. I am just going to be very brief.

I agree with everything you said. We need to make sure that Slovakia and all the countries of the region get our support. There have been negative effects as a result of the actions in Kosovo on their economies.

I hope we limit ourselves to maybe one or two speakers unless there is controversy on each amendment, or we will lose the sex trafficking bill because we won't have the quorum we need to pass that bill. As I understand it, we will be out of business on the floor pretty soon.

I yield back the balance of my time.

Chairman GILMAN. Thank you, Mr. Gejdenson.

Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman.

I will be brief. I rise in support of the resolution. I think that when the Soviet Union disintegrated and the Warsaw Pact collapsed, we all remember that there was something called the visigrad Four—the Czech Republic, Slovakia, Hungary, and Poland. It was a disappointment to many people to see Slovakia take a turn away from democracy for some period of time, so that unanimously all 16 countries of NATO felt they were not ready for NATO membership with the other three.

But Slovakia has moved back and taken very positive steps, and the items in the whereas clauses point out the appropriate kinds of action, highly commendable actions, that the Slovakian Government has taken. They deserve a pat on the back for their change in course which will undoubtedly help them be integrated in the European Union and, eventually, in NATO. I think it is appropriate to pass the legislation.

I yield back the balance of my time.

Chairman GILMAN. Thank you very much, Mr. Bereuter.

Are any other Members seeking recognition?

If there is no other Member seeking recognition, the gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. Mr. Chairman, I move the Chairman be requested to seek consideration of the pending resolution on the suspension calendar.

Chairman GILMAN. The question is on the motion of the gentleman from Nebraska.

As many as are in favor, signify in the usual manner.

Opposed?

The ayes have it and the motion is agreed to.

Further proceedings on this measure are postponed.

Mr. BEREUTER. Mr. Chairman.

Chairman GILMAN. Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman. I am waiting for a handout, a revised handout to be brought. I wondered if we might skip temporarily over the next measure and go to the fourth, and then back to the third?

Chairman GILMAN. Without objection, we will now move to H.Con.Res. 206, a concurrent resolution expressing grave concern regarding armed conflict in the North Caucasus region of the Russian Federation.

The Chair lays the resolution before the Committee.

The clerk will report the title of the resolution.

[The information referred to appears in the appendix.]

Ms. BLOOMER. H.Con.Res. 206, a resolution expressing grave concern regarding armed conflict in the North Caucasus region of the Russian Federation, which has resulted in civilian casualties and internally displaced persons, and urging all sides to pursue dialogue for peaceful resolution of the conflict.

Chairman GILMAN. Without objection, the preamble and operative language of the resolution will be read in that order for amendment.

The clerk will read.

Ms. BLOOMER. Whereas during the Russo-Chechen War of 1994–1996, Russian Federation——

Chairman GILMAN. Without objection, the resolution is considered as having been read and is open to amendment at any point.

The resolution is in the original jurisdiction of the Full Committee.

Mr. SMITH. Mr. Chairman.

Chairman GILMAN. Would the gentleman withhold?

I support the resolution introduced by our colleague from New Jersey, Mr. Smith. I believe it makes some important points with regard to the current warfare in the region of Chechnya and Rus-

sia. Most importantly, it points out that tens of thousands of innocent civilians are suffering terribly due to the Russian Government's indiscriminate use of force and the Russians violation of its own commitments as a member state in the Organization for Security and Cooperation in Europe.

This resolution states the obvious, that a peaceful settlement is required in Chechnya if the suffering of innocent civilians is to end soon. The resolution also states, and I think quite appropriately, that there has been a wave of internal lawlessness and kidnappings within Chechnya in recent years, including an armed attack on a neighboring region of Russia by extremist forces from Chechnya.

Although I do not think that excuses the current military actions by Russia in Chechnya, it perhaps underlies why there is no clear consensus yet as to what the international community should do with regard to the latest conflict in that region.

I would like to take this opportunity to state my belief that the latest Russian military offensive will very likely do little to address the underlying causes of instability in the North Caucasus region and indeed throughout Russia. Those underlying problems include vast corruption at all levels of the Russian Government; and in absence of real economic reforms, allowing the North Caucasus region to slip into grinding poverty, that is, in turn, breeding yet even more instability.

This resolution makes several important statements, but I would specifically point out that the resolution states Russia's use of indiscriminate force in Chechnya is a direct violation of its commitments as a member state of the Organization for Security and Cooperation in Europe, just as the previous military operation in Chechnya was in violation of those OSCE commitments.

I also note that Russia has violated the treaty on conventional forces in Europe in the course of that operation.

The summit of the OSCE heads of state is to be held in Istanbul in the next few days, and it is time for our government to call Russia to task for its violation of those OSCE commitments and disregard for the CFE treaty, a treaty that, in fact, has already been revised to meet earlier Russian demands. The OCSE summit is a perfect venue in which to do that.

We may not see it on our television screens, but many innocent people are suffering terribly from the indiscriminate force used by Russia in Chechnya, as well as for the extremism of some of those on the Chechnya side. It is time to get the two sides to the table, and as this resolution points out, the OSCE can help if Russian lives up to its commitments.

Accordingly, I support the resolution and recognize Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman. The conflict between Russians and Chechens is over 100 years old. Under Stalin, they tried force to resettle the Chechen people. We are still seeing here today the convulsions of the end of the old Soviet system. It is clear that this is a very complicated situation. The Russians have failed to recognize the impact on the civilian populations—over 200,000 people displaced.

We would hope that the Russian Government would try much more sincerely, with much more effort, to make sure they are not dislodging large numbers of innocent civilians.

Chairman GILMAN. Thank you, Mr. Gejdenson.

The gentleman from New Jersey, Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman.

I thank you for placing H.Con.Res. 206 on the agenda today. This resolution addresses an issue of increasing urgency, the war in Chechnya and the plight of innocent people caught in the conflict.

Mr. Chairman, following two armed incursions into the neighboring Republic of Dagestan by Islamic extremists, based in Chechnya but independent of the Chechen Government, the Russian Government sent the full weight of its military regime into Chechnya, a region that gained de facto independence from Russia as a result of the bloody war from 1994 to 1996.

While Russia, on the one hand, is justified in rebuffing armed aggression against its territorial integrity—in combating terrorism—one can sympathize with Russia's frustration over the unsolved bombings that killed almost 300 persons in Russia around the same time as the Dagestan incursion.

The government of Chechnya, too, has not been entirely blameless in the situation since achieving de facto independence from Russia in 1996. Chechnya has degenerated into a morass of lawlessness and violence with a government powerless to establish law and order. But, Mr. Chairman, these arguments do not justify a war against innocent civilians.

Noncombatant villages, homes, and farms have been subjected to artillery shellings and air raids. The death toll now is in the hundreds, and the number of internally displaced persons who have sought refuge in neighboring regions is around 200,000.

Mr. Chairman, for this reason, I, together with Mr. Wolf and Mr. Forbes, introduced this resolution; and we have been joined by Messrs. Hoyer, Cardin, Engel, and Stark as cosponsors. Specifically, the resolution urges the government of the Russian Federation and all parties to cease the indiscriminate use of force against the civilian population in Chechnya.

It further urges the government of Russia and all parties to enter into negotiations and to avail itself of the capabilities of the OSCE which helped broker an end to the 1994–1996 war. Additionally, the resolution calls upon Chechen authorities to make every effort to deny basis to radical elements committed to violent actions in the Northern Caucasus and urges Chechen authorities to create a rule-of-law environment with legal norms based upon internationally accepted standards.

Finally, the resolution calls upon our own government to express to all parties the necessity of resolving the conflict peacefully and to express the willingness of the U.S. to extend appropriate assistance toward such a resolution, including humanitarian assistance as needed.

Mr. Chairman, this resolution is not anti-Russian, and it is not pro-Chechen. Many observers who wish to see a prosperous and democratic Russia have been deeply disturbed by Russia's actions in Chechnya.

Yesterday, the State Department accused Moscow of failing to meet human rights standards set out both in the Geneva Conventions and the Codes of Conduct of the OSCE. Unfortunately, when Attorney General Reno visited Moscow last month, her evasive comments about the war in Chechnya prompted the October 23rd edition of the *Moscow Times* to say, and I quote, "Reno's quiet gave war a green light." Hopefully, the Administration will speak with one voice in the future, and avoid any mixed messages.

The last thing the Russian military needs now is the slightest encouragement for its present action. Let me just remind Members that the last time this war was going on, we had hearing after hearing, many of them held in this room. We heard from Yulana Bonner and many others who said we had given the green light, however unwittingly, to the Russians when they were doing their "scorched earth" policy in Chechnya last time.

Let us not have deja vu again. Let us go on record trying to find a peaceful outcome to this despicable mess in Cehchnya. The killing is going on, and the internally displaced people and the refugees who have made it across the border are at great risk of dying or of being very, very severely malnourished as a result of this war. It has got to come to a halt.

I yield back the balance of my time.

Chairman GILMAN. Thank you, Mr. Smith.

Does any other Member over here seek recognition?

If not, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

I would be voting in favor of this motion, of course, but I would like to remind Members of the Committee, while we are here waiting for our quorum, that for about 2 years I have been suggesting, unless we pay attention to what is going on in Afghanistan, that it would have severe repercussions in Central Asia.

I believe that at least part of the problem in Chechnya can be traced back to the massive drug production that is going on in Afghanistan today, and the drug money that is being produced there is having its impact throughout Central Asia.

Although I do think, of course, we have to be tough on our Russian friends not to have a "scorched earth" policy, we also must understand that the Chechens themselves could well have sources of money coming from Afghanistan and this drug money.

So we should be a force for peace. We should be a force for stability in the region. I appreciate that is the purpose of this resolution and will support it. But again, I think that this Administration has got to understand that their current policy in Afghanistan is having very serious repercussions, and this is one of them.

Let me again state for the record that the response of this Administration for well over a year, for the documents that I requested concerning Afghanistan has not been—they have not been forthcoming. They have been obstructionist. Even to this date, even after a very contentious hearing in which this issue was vocalized, they still have not come forward with the documents that I have been looking for for well over a year.

So I assume, and I am assuming, that what we are facing here in Chechnya could well be just another off-shoot of the failed policy

in Afghanistan, or should we say, the Administration's policy of Afghanistan coming to its natural conclusion.

So with that, I yield back the balance of my time.

Chairman GILMAN. Thank you, Mr. Rohrabacher.

Are there any other Members seeking recognition?

Mr. Smith.

Mr. SMITH. I have an amendment at the desk.

Chairman GILMAN. Mr. Smith has an amendment at the desk.

The clerk will read the amendment.

[The information referred to appears in the appendix.]

Ms. BLOOMER. En bloc amendment offered by Mr. Smith, page 2, in the first——

Mr. SMITH. I ask unanimous consent that the amendment considered as read.

Chairman GILMAN. Without objection, the amendment is considered as read.

Mr. SMITH. Mr. Chairman, these are just perfecting amendments, some recommendations that have been made by our embassy in Moscow by Ambassador Collins, and by both majority and minority staffs. I do think it just tightens and makes what I hope was a good resolution even better. I urge the adoption.

Mr. GEJDENSON. We have no objection.

Chairman GILMAN. All those in favor of the amendment signify in the usual manner.

Opposed?

The amendment is carried.

Mr. SMITH. Mr. Chairman.

Chairman GILMAN. Mr. Smith.

Mr. SMITH. Just if I could announce to the Members that we are still hoping to have a vote on the Smith-Gejdenson language, the legislation on sex trafficking. So if Members could stick around, we do need a quorum to report it out. It is a matter of if and not when—when and not if. So we hope to get this as soon as possible. As soon as we have the quorum, the roll call will occur, if that is OK by you.

Chairman GILMAN. Thank you.

Mr. GEJDENSON. Mr. Chairman.

Chairman GILMAN. Yes, Mr. Gejdenson.

Mr. GEJDENSON. I am not trying to cutoff anybody's ability to speak here, I would suggest if maybe we could limit it to 5 minutes on each side on each proposition, so if you have an amendment, you have a point of order, you get 5 minutes on each side, so we can just get through these. Because what I am afraid of is, we will lose our time.

So unless there is objection, I ask unanimous consent——

Mr. BEREUTER. I object.

Chairman GILMAN. Objection is heard.

Mr. Bereuter is recognized to offer a motion.

Mr. BEREUTER. Mr. Chairman, I move the Chairman be requested to seek consideration of the pending resolution on the suspension calendar.

Chairman GILMAN. As amended. The question is on the motion of the gentleman from Nebraska. As many as are in favor of the motion, say aye.

As many as are opposed——

The ayes have it and the motion is agreed to.

Further proceedings on this measure are postponed.

Chairman GILMAN. We will now proceed to H.Con.Res. 222, the concurrent resolution condemning the assassination of the Armenian Prime Minister and other Armenian Government officials.

The Chair lays a resolution before the Committee.

The clerk will report the title of the resolution.

[The information referred to appears in the appendix.]

Ms. BLOOMER. H.Con.Res. 222, a resolution condemning the assassination of Armenia Prime Minister Vazgen Sargsian and other officials of the Armenian Government and expressing the sense of the Congress in mourning this tragic loss of the duly elected leadership of Armenia.

Chairman GILMAN. Without objection, the preamble and operative language of the resolution will be read in that order for amendment.

The clerk will read.

Ms. BLOOMER. Whereas on October 27, 1999, several armed individuals broke into Armenia's Parliament and assassinated the Prime Minister of Armenia, Vazgen Sargsian, the Chairman of the Armenian Parliament, Karen Demirchian——

Chairman GILMAN. Without objection, the resolution is considered as having been read and is open to amendment at this point.

The resolution is in the original jurisdiction of the Full Committee.

I support this resolution introduced by Congressman Rogan of California, which is identical to the language of the resolution introduced by a bipartisan group of Members of the Senate, which I hope will have the support of our colleagues on this Committee and in the House as a whole. The killings that took place in Armenia on October 27th were deplorable.

While the perpetrators claimed to be acting on October 27th on behalf of the Armenian people, their means of acting, the murders of top officials, is not the way to build true democracy in Armenia or in any other such struggling nation.

This resolution properly calls for the trial of those accused of those murders. Of course, they should indeed have their day in court so that all Armenians can better understand their motives. That should be as much a part of democracy in Armenia as it is here, but they should, and I am sure will, face a thorough prosecution.

True democracy is not created by such senseless atrocities. Armenia faces serious difficulties, not just the academic and political difficulties that face all the states of the former Soviet Union, but also the need for peaceful resolution of the conflict with neighboring Azerbaijan that has been merely suspended by a cease-fire for the past 5 years.

The murders of top officials in Armenia did not help that small nation resolve those serious problems, but the adoption of this resolution by the House may be helpful by making it clear to the Armenian people that our Nation continues to support democracy in their nation and opposes such acts of terrorism. Accordingly, I fully support the resolution.

Mr. Gejdenson.

Mr. GEJDENSON. Mr. Chairman, I join with you in supporting this resolution. One of the reasons I wanted a markup in the Committee is to have the Committee clearly on record in support of democracy in Armenia. The Armenian people have suffered so much since the genocide earlier in the 1900's, and suffered under Soviet control. They now have their own democracy, and all of us are saddened to see this brutal and senseless act.

Chairman GILMAN. Thank you, Mr. Gejdenson.

Are any other Members seeking recognition?

Mr. RADANOVICH. Mr. Chairman.

Chairman GILMAN. Mr. Radanovich.

Mr. RADONOVICH. I do have a statement for the record. For the sake of time, I would like to submit it into the record.

[The prepared statement of Mr. Radanovich appears in the appendix.]

Chairman GILMAN. Without objection, the statement will be made a part of the record.

Is any other Member seeking recognition?

If not, I recognize the gentleman from Nebraska, Mr. Bereuter, to offer a motion.

Mr. BEREUTER. I move the Chairman be requested to seek consideration of the pending resolution on the suspension calendar.

Chairman GILMAN. The question is on the motion of gentleman from Nebraska. As many as are in favor of the motion, say aye.

As many as are opposed, say no.

The ayes have it, and the motion is agreed to.

Further proceedings on this measure are postponed.

Chairman GILMAN. We will now proceed to H.Con.Res. 211, a concurrent resolution expressing the strong support of the Congress for the recently concluded elections in the Republic of India.

The Chair now lays a resolution before the Committee.

The clerk will report the title of the resolution.

[The information referred to appears in the appendix.]

Ms. BLOOMER. H.Con.Res. 211, a resolution expressing the strong support of the Congress for the recently concluded elections in the Republic of India and urging the President to travel to India.

Chairman GILMAN. Without objection, the preamble and operative language of the resolution will be read, in that order, for amendment.

The clerk will read.

Ms. BLOOMER. Whereas the Republic of India is a long-standing parliamentary democracy——

Chairman GILMAN. Without objection, the resolution is considered as having been read and is open to amendment at any point.

This resolution was considered by the Subcommittee on Asia and the Pacific and was reported without amendment.

Who seeks recognition?

Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman. I will be brief and be able to yield to the rest of my time to Mr. Ackerman.

The most populous democracy on this planet is an important friend to the United States. We need to continue to develop this relationship beyond the geopolitical considerations of the region. Both

from the institutional point of two great democracies to the economic opportunities for the many Indian citizens who are a strong part of American society, it is critical for us to recognize and to build on what is already a very important relationship.

I again, as I have said before, am privileged to hold a seat that Chester Bowles had, one of our greatest Ambassadors to India, serving two terms there, in helping establish a very solid foundation under one of our most important relationships.

Chairman GILMAN. Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman. The Asia and Pacific Subcommittee marked up this legislation October 27th and unanimously approved it.

The resolution rightly congratulates the people of India on a successful election where over 350 million people cast their ballots. The reelection of Prime Minister Vajpayee reflects a vibrant multiparty system where parties with strongly differing views can compete in a way that is uniquely Indian. We certainly wish the Vajpayee party and its ruling coalition well as it prepares to lead the country.

The resolution offered by our distinguished colleague, Mr. Ackerman, rightly alludes to this strategic relationship between the U.S. and India. We certainly have such a strategic relationship today, just as we have strategic relationships with many other countries, and we look forward to improved relations.

I urge adoption.

Chairman GILMAN. Thank you, Mr. Bereuter.

Mr. Ackerman.

Mr. ACKERMAN. Thank you. Mr. Chairman, let me thank you and your staff on the Committee for agreeing to consider my resolution this afternoon. I also want to thank Mr. Gejdenson and Mr. Lantos for cosponsoring the resolution.

The contrasting events in India and Pakistan over a single 24-hour period speak eloquently about the new challenges and opportunities that we face in South Asia. In India, we have seen hundreds of millions of voters enthusiastically exercise their votes in a free and fair election. In Pakistan, we witnessed a military coup.

This resolution, Mr. Chairman, recognizes that the people of India have a deep and abiding commitment to democracy, and it salutes them for the passion with which they choose their own destiny.

No country reflects their own values more in that part of the world than India. It is high time we seriously begin to recognize this fact, and graduate from near-platitudes to some tangible policy changes toward India. I believe it is time to reexamine our basic premise regarding U.S. policy in South Asia.

We should abandon the old paradigms and Cold War hang-ups and see that India, a democracy, is our natural ally in the region. The best way to demonstrate our commitment to the people of India is by ensuring that the President travels to India as soon as possible.

I thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Ackerman.

Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much.

I support this resolution and I agree with my good friend Mr. Ackerman that this is very symbolic in that India had free elections, and within a very short period of time, we see a military regime being imposed on the people of Pakistan. It is incumbent on the people of the United States and on us to again and again reaffirm to the people of the world that we are in favor of democracy, we are in favor of the democratic process, and that this resolution is very timely in that regard.

I do disagree with my good friend Mr. Ackerman that we had Cold War hang-ups. Let us remember during the Cold War, India sided with the Soviet Union time and time again, and condemned the United States time and time again. Now, the Cold War is over, we should move forward with a better relationship with India, but let us not just call them Cold War hang-ups.

It is not a Cold War hang-up to be upset with someone who is refusing to condemn the Russians for all of their vicious, imperialistic and militaristic activities while condemning the United States for any of its imperfections, which was India's standard procedure in those days.

Additionally, let me say this: I think India and the United States can, in this post-Cold War world, reach a new and better relationship because of the threat of China, which threatens the peace for both of our countries.

Finally, we need to go on record to make sure that India knows having free elections is good, but they should let free elections determine what the outcome will be in Kashmir. If they would agree to that, they would agree to allowing the people of Kashmir to have a free and democratic election, we could have that problem done with—but they haven't permitted that for all of these years.

So I support the resolution. I think we have to go after this in a very thoughtful manner. Thank you very much.

Chairman GILMAN. Any other Members seeking recognition? Mr. Brown.

Mr. BROWN. I thank you, Mr. Chairman.

I also rise in strong support of the resolution. I would like, if appropriate, to ask the gentleman from New York, Mr. Ackerman, if I could add my name to the list of cosponsors. I also applaud the people of India, 350 million strong, for the greatest turnout for any election in the world—in the history of the world.

I also applaud the government of India and, more importantly, the people of India for the fact that during their series of elections in the last 5 or 6 years and their change in governments, that the government has enjoyed stability, and the country has enjoyed stability through all of that. Even with the immense amount of upheaval there has been in the subcontinent of Sri Lanka and the domestic problems there and the coup in Pakistan, India has continued to move forward.

So I ask my colleagues for support of the resolution.

Chairman GILMAN. Thank you, Mr. Brown.

Any other Members seeking recognition?

I want to thank the Chairman and Ranking Minority Member of the Asia and Pacific Subcommittee for sending this important measure to the Full Committee.

I commend Mr. Ackerman, who is Co-chairman of the Indian Caucus, and Mr. Bereuter, the distinguished Chairman of our Subcommittee, for their leadership and expertise in crafting this appropriate measure.

The President recently waived some of the economic sanctions against India. Last week, Mr. Gejdenson and I sent a letter to the President urging he waive the last remaining economic sanction against India. That sanction requires that the U.S. impose international financial institution loans to India. These loans are critically needed for infrastructure projects in the poorest areas of India. In addition, waiver of these loans will benefit U.S. companies who want to work on those projects.

India recently went through its third general election in 3 years. That election started September 5th, and it ended October 4th. The process took about a month, because there were some 600 million voters and thousands of polling stations spread throughout the huge nation. But it was an orderly process, even though it was such a mammoth undertaking.

Our mutual faith in the rule of law, the process of democracy and a deep respect for the world's different religious traditions are what tie our two people so closely together, and it is due to these similar core values that India and our Nation see eye to eye on so many regional concerns.

China's hegemony, the spread of Islamic terrorism, spilling out of Afghanistan, Pakistan, the DeMarco dictatorship and the occupation of Tibet are all serious matters and will only be resolved by the team work of leaders of our two nations working closely together. The close relationship with India is long overdue.

Again, I commend both the distinguished Chairman of the Asia and Pacific Subcommittee, Mr. Bereuter, and the distinguished Cochairman of the India Caucus, our leader on India issues, Congressman Ackerman, for crafting this measure. I urge our colleagues to support this measure.

Any other Member seeking recognition?

If there is no other Member seeking recognition, I call on Mr. Bereuter for a motion.

Mr. BEREUTER. Mr. Chairman, I move the Chairman be requested to seek consideration of the pending resolution on the suspension calendar.

Chairman GILMAN. All in favor of the resolution by Mr. Bereuter, signify in the usual manner.

Opposed.

So be it. The resolution is adopted.

Further proceedings on this measure are postponed.

A brief pause while we count for a quorum.

Chairman GILMAN. We will now go to H.Con.Res. 200, relating to Pakistan.

The Chair lays a resolution before the Committee.

The clerk will the report the title of the resolution.

[The information referred to appears in the appendix.]

Ms. BLOOMER. H.Con.Res. 200, a resolution expressing the strong opposition of Congress to the military coup in Pakistan and calling for a civilian democratically elected government to be returned to power in Pakistan.

Chairman GILMAN. This resolution was considered by the Subcommittee on Asia and the Pacific and was reported from that Subcommittee.

Without objection, the Subcommittee recommendation shall be considered as the original text for the purposes of amendment.

Without objection, the preamble and operative language of the Subcommittee recommendation will be read, in that order, for amendment.

The clerk will read.

[The information referred to appears in the appendix.]

Ms. BLOOMER. Whereas the United States has a vital interest in promoting stability in South——

Chairman GILMAN. Without objection the Subcommittee's recommendation is considered as having been read and open for amendment at any point.

Mr. GEJDENSON. Mr. Chairman.

Chairman GILMAN. By unanimous consent, we will now go back to the sexual trafficking bill, since we have a quorum present.

The measure is now before the Committee.

The gentleman from Nebraska is recognized for a motion on the resolution.

Mr. BEREUTER. I ask unanimous consent that the Committee be deemed to have adopted an amendment in the nature of a substitute consisting of the text of the bill as amended by the Committee.

Chairman GILMAN. Without objection.

Mr. BEREUTER. Mr. Chairman, I move that the Committee report the bill to the House with the recommendation that the bill do pass.

Chairman GILMAN. A motion has been made by Mr. Bereuter.

All those in favor, signify in the usual manner.

Opposed.

The bill is passed.

We will now return to the Pakistan measure.

Mr. SMITH. I have an amendment at the desk in the nature of a substitute.

Mr. BEREUTER. Mr. Chairman, I think it is appropriate that the Chairman of the Subcommittee be heard on the Pakistan legislation.

Chairman GILMAN. Would the gentleman withhold?

Mr. GEJDENSON. I will be happy to withhold. I would hope we would return after the vote if we run out of time.

Chairman GILMAN. Mr. Bereuter.

Mr. BEREUTER. My comments are quite likely to be quite lengthy, Mr. Chairman.

Chairman GILMAN. Continue until we run out of the time.

Mr. BEREUTER. Thank you, Mr. Chairman.

Mr. Chairman, H.Con.Res. 200 was marked by the Subcommittee on Asia and Pacific on October 27——

Chairman GILMAN. Would the gentleman withhold? We have a very important measure after this, so please return so we can complete our work. We are near the end of our considerations.

Mr. BURTON. Mr. Chairman, a point of order.

Chairman GILMAN. A point of order by Mr. Burton.

Mr. BURTON. I would just like to make a point of order that a lot of the Members are leaving to go vote on the Floor, and I think what Mr. Bereuter is going to say on this very important resolution needs to be heard by as many as possible. So I would urge that we wait until we come back.

Chairman GILMAN. Without objection, we will put off the discussion on this measure until the vote is over. I urge all Members to return.

The Committee stands in recess.

[Recess.]

Chairman GILMAN. The Committee will come to order.

The Chair would like to clarify that a quorum was present when the motion to report the previous bill was disposed of.

Without objection, the Chair or his designee is authorized to make motions under rule 22 with respect to a conference on or a counterpart from the Senate relating to H.R. 3244. Without objection, the Chief of Staff is empowered to make technical and grammatical conforming amendments to the text of H.R. 3244.

Mr. Bereuter is recognized.

Mr. BEREUTER. Mr. Chairman, are we back on H.Con.Res. 200 then?

Chairman GILMAN. Yes, we are. Please proceed, Mr. Bereuter.

Mr. BEREUTER. Mr. Chairman, this resolution was marked up on October 27th, passed by voice vote as amended by an amendment in the nature of a substitute. The resolution expresses a great concern regarding the impact of the coup upon democracy in Pakistan and upon relations in South Asia, particularly India-Pakistani relations.

The amended H.Con.Res. 200 calls for the President to withhold consideration of arms sales or equipment or provisions of military services until civilian government is reinstated. However, it keeps intact our very limited IMET links with Pakistan.

Currently, only two mid-level Pakistani officers are receiving any form of U.S. education. There are no Pakistani officers receiving IMET at the present time.

The amended H.Con.Res. 200 also calls upon General Musharraf to immediately release a timetable for returning power in Pakistan to a civilian, democratically elected government. We remain concerned that General Musharraf has not yet presented a timetable but somewhat encouraged that he has appointed civilians to the National Security Council and has formed a cabinet dominated by civilians.

I would urge that the amendment, without further amendments—that the resolution without further amendments be adopted. I yield back.

Mr. GEJDENSON. Mr. Chairman, I have an amendment at the desk.

Chairman GILMAN. Mr. Gejdenson has an amendment. The clerk will read the amendment.

Mr. BEREUTER. Mr. Chairman, reserving a point of order.

Chairman GILMAN. The gentleman will state his point of order.

Mr. BEREUTER. I am just reserving a point of order at this point, Mr. Chairman.

Chairman GILMAN. The gentleman's reservation will be heard at a later date.

Ms. BLOOMER. Amendment in the nature of a substitute offered by Mr. Gejdenson and Mr. Brown.

Amend the preamble——

Mr. GEJDENSON. Mr. Chairman, I move the amendment be considered as read.

Chairman GILMAN. The gentleman asks unanimous consent the amendment be considered as having been read without objection.

[The information referred to appears in the appendix.]

And the gentleman is recognized for 5 minutes on the amendment.

The clerk will distribute the amendment.

Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman.

This amendment simply restores the resolution to its original construct. If there was a debate in the Congress as to whether or not a watered-down version or the original version ought to pass, let me read to you from the *New York Times* of November 4th. This is General Musharraf and his assessment of his coup. "I was surprised," the news agency quoted him as saying. "The reaction was more mild than I expected."

Well, let me tell you something. The last thing we want to do is tell every fledgling democracy out there that if they have got trouble the solution is to have a military coup. We want to see that democratic institutions are supported.

If there are problems in government of corruption or other issues, then there ought to be reform of their judicial system; there ought to be reform of their legislative system; there ought to be reform of the executive branch of government. But for this Congress, the greatest democracy in the world, to send any other message but a clear message that simply states that America's relationship with Pakistan hinges on a restoration of democratic institutions, not promising us they are going to be democratic institutions, not sending a time line for democratic institutions, especially when you look at the history here, but having democratic institutions.

I thank my colleagues. I don't want to take up their time. This is the original resolution which I believe has broad support and clearly states what the American people believe.

Mr. BEREUTER. Would the gentleman yield?

Mr. GEJDENSON. I will be happy to yield.

Mr. BEREUTER. Do we have the substitute before us? I am looking through my piles of paper, and I can't find it.

Mr. GEJDENSON. If the gentleman doesn't have a copy, somebody is bringing you another copy.

Mr. BEREUTER. Could you explain to me and other Members exactly what your amendment does, as compared to the amended text we reported out?

Mr. GEJDENSON. In the amended text, in a number of instances, in my opinion, and I know the gentleman did this earnestly, it frankly waters down condemnation of the coup and puts in language that doesn't clearly state what I think the American people believe is the right policy for the United States.

We ought not simply allow this coup to go by without clearly stating that we condemn the coup and that we want the sanctions to be in place until there are democratic institutions back, in fact, in Pakistan.

Mr. BEREUTER. Mr. Gejdenson, would the gentleman yield?

Mr. GEJDENSON. I will be happy to yield.

Mr. BEREUTER. Thank you. I am going to be looking at this as quickly as possible.

Perhaps some other Members will want to claim time at this point.

Mr. COOKSEY [presiding]. Who seeks recognition?

Mr. Burton.

Mr. BURTON. I don't disagree with my colleague from Connecticut that we want to see democratic institutions reinstalled into Pakistan as quickly as possible, but as a practical matter it can't be done tomorrow. It is going to probably take a few months to organize a plebiscite or a referendum, and that is why I think the Chairman of the Subcommittee and I and others, when we talked about this, thought 6 months would be a reasonable period of time within which to demand, if you will, that Pakistan have a plebiscite or have a referendum on the government that is now in power, the military government.

Another thing I think we ought to consider is the very touchy situation that exists in that part of the world right now.

Pakistan and India have been at brink of war for a long time, and the first steps away from the brink of war took place after this military government took power just recently. This general has withdrawn the troops from the Kashmiri border up there, and he has also reached out to the Indian government to try to start a dialogue that will lead to a permanent peace—at least what we hope to be a permanent peace.

I think right now for us to pass a resolution, being the only superpower in the world, so to speak, it would send a signal maybe to India and maybe to some of the adversaries of Pakistan, from inside as well as outside, that we want to see them out or overthrown immediately. That is why I thought a more reasonable resolution should be acceptable at this point. That is saying that we want them to do something within 6 months to restore a civil government, a democratically elected government, to power.

Mr. GEJDENSON. Will the gentleman yield?

Mr. BURTON. Yes, I will in just 1 second.

I think it would provide a feeling of stability in that region, because of the detente, if you will, between India and Pakistan at the present time. It would serve to put a little oil on the water while all of this is taking place.

So I would urge my colleagues to accept the recommendations of the Chairman of the Subcommittee because I think that language sends a very strong message, but it is not inflammatory to the degree that it might upset the balance of power over there.

I will be happy to yield to my colleague.

Mr. GEJDENSON. I appreciate the gentleman's concerns.

I would say two things. One is, to the contrary of the gentleman's assessment that this might last 6 months, General Musharraf has

said that he is not putting down any kind of time line, so we don't know how long the military would maintain control.

I think, again, if we can just take ourselves out of this situation for one moment and think what message you want to send to all the countries that were once part of the Soviet Union that are having trouble with corruption—that are having problems in the court systems, that are having problems in their economy—do we want to tell them that the Congress of the United States thinks it is appropriate to have a coup to fix the system? I don't think so.

Mr. BURTON. If I can reclaim my time, let me just say that nothing in the resolution, as amended, by the Chairman of the Subcommittee condones or approves of the military government, that now exists or the way they took over.

What we tried to do, what the Chairman tried to do, was to make sure that while we were, in effect, demanding that there be a return to civil government, that it be done in such a way as to ensure the stability of the region, and I think this does this.

You are not going to be able to change the situation overnight. While the general over there may say he is not going to accept any time line, it certainly won't hurt for us to put one in the resolution. I think we do that with this resolution. I think it is one that will send a very strong signal, and it is something that is do-able.

You cannot force them to change that government overnight. Even if they were going to return to democracy, it is going to take time to set up the mechanism to do that. So I think 6 months is a reasonable length of time, and I think the Chairman's substitute is the right approach.

I yield back the balance of my time.

Mr. COOKSEY. The gentleman from Ohio, Mr. Brown, is recognized.

Mr. BROWN. I thank you, Mr. Chairman.

I rise in support of the Gejdenson Amendment, as co-author of the amendment. I think this Committee needs to, as my colleague from Connecticut said, send a strong and unequivocal message that the U.S. is not in the business of supporting military dictatorships. We don't do it in Burma. We don't do it in North Korea. We shouldn't do it in Pakistan.

No matter how unpopular he was, Prime Minister Sharif was elected by the people of Pakistan, and if General Musharraf is unhappy with his prime minister, he should have resigned his military commission and entered the political arena. That is the belief that people in this institution have. That is why the language in the Gejdenson Amendment should be adopted, the language restoring the language of the original bill.

I think Mr. Gejdenson's statement quoting General Musharraf that reaction was more mild than he expected tells us everything. If reaction is more mild than he expected and we continue that mild reaction from this Committee and from this Congress, from the floor of the House, then we are sending a message to potential dictators, to people that are thinking of launching coups against democratically elected governments, we are sending the message to them that, well, we won't object too much in this institution—other world leaders won't object too much if there is a coup.

Now, there is nowhere in the Pakistani constitution that I can see that says you give them 6 months before they need to restore democratic rule. If you give them 6 months, it helps them consolidate their military rule. Where are they as a nation? Where are they as a democracy?

Also, I might add, in the language of the amendment, under no circumstances should taxpayers in this country be asked to provide training and assistance to the same Pakistani military that just deposed its civilian-elected government.

I ask my colleagues to support the Gejdenson Amendment because it restores the original language, and it does, in fact, say that Americans condemn this kind of military action against a democratically elected government.

I yield back the balance of my time.

Mr. BEREUTER. Mr. Chairman.

Mr. COOKSEY. The gentleman from Nebraska, Mr. Bereuter.

Mr. BEREUTER. I would like to be recognized in opposition to the Gejdenson Amendment, but perhaps we can find some common ground here.

Mr. COOKSEY. The gentleman is recognized for 5 minutes.

Mr. BEREUTER. I believe there are only four subsections where there is a difference between the resolution reported from the Subcommittee and the gentleman's substitute.

The first two, the gentleman restores language, condemns instead of expresses concerns, expresses grave concern. This is a matter of degree, and I can understand the gentleman's point of view, and this is not worth arguing over as far as I am concerned. The gentleman may be right that it is appropriate to condemn.

But when you look at subsection 4, Mr. Gejdenson, your language calls for the immediate restoration of civilian, democratically elected government. You know that is not going to happen. There is no possibility for that to happen, even if the general would decide to walk away from the situation.

So what we did, I thought, was a reasonable kind of suggestion, where we can give them some room to come back as quickly as possible.

So we have rapid restoration, and I think, accepting a suggestion from Mr. Ackerman, we said including immediate release of a timetable for restoration of democracy and rule of law.

I think that is a reasonable approach. You know perfectly well that calling for immediate restoration is only rhetoric. It cannot——

Mr. GEJDENSON. Will the gentleman yield?

Mr. BEREUTER. I would ask the gentleman to reconsider that, and I would move to the fourth point, but I would yield to the gentleman.

Mr. GEJDENSON. I am not sure it is rhetoric, but I am willing to try to work with the gentleman. Let's go to the fourth point and see what the package looks like.

Mr. BEREUTER. The fourth point the gentleman had already agreed to, but backing away from it because of perhaps a concern about the amendments that were made by this Member in Committee, with some suggestions from your side of the aisle. I believe that any time you cut-off IMET, you are hurting our interests, our

national interests. This is a very limited opportunity to try to have influence on their military. At times when we have made the mistake of cutting off IMET funds for a country, no matter how legitimate our concern was, we lost contact with a whole generation of military people, and we have oftentimes paid the price for that lack of contact.

So the gentleman, perhaps reluctantly, before we started the markup in the Subcommittee, I recall, agreed that he would be willing to drop the ending of IMET.

So if we could have the timetable, the rapid restoration and a restoration of IMET, I can understand how the gentleman might want to say condemn.

Mr. GEJDENSON. Well, the gentleman asks for a little too much. I mean, I would love to work something out with the gentleman and not take up everybody's time, but I think the timetable alone is not the answer here. I mean, I could put several timetables in place, and I guess at that point every timetable I put in place would keep me in the good stead of the gentleman from Nebraska.

Mr. BEREUTER. I reclaim my time and would just say that the gentleman's language does not do anything except make us feel good and expresses our great concern because he asks for the immediate restoration. You know that is impossible.

Mr. GEJDENSON. If the gentleman would maybe suspend for a moment——

Mr. BEREUTER. I would yield to the gentleman.

Mr. GEJDENSON [continuing]. Allow some of the other Members to express themselves, maybe we can get counsel together and see if we can come up with some language. Frankly, I have been frustrated by the resistance to this proposal, but I am always trying to work something out with the Member from Nebraska, whom I have great respect for. So maybe the gentleman can suspend and the staffs can see if we can work something out.

Mr. BEREUTER. I yield to the gentleman from North Dakota. Did you ask me to yield or who was that? I yield to the gentleman from New Jersey.

Mr. ROTHMAN. I thank the gentleman.

I am trying to think of the appropriate analogy for the gentleman from Nebraska with regard to the immediate language versus the rapid restoration. It is as if somebody broke into your home and stole something from you and then fenced the goods. The question is: What do you ask of the person? Do you ask for a rapid return or the immediate return?

Now, obviously the person who fenced your stolen goods, after he stole them from your home, will not be able to immediately return it to you, but there is a certain power in demanding for immediate restoration of your own rights.

That is No. 1.

No. 2, if we are to be the fosterers, if that is the word, of democracy, the supporters of democracy throughout the world, we have to let our colleagues know that after 220 years of experience we have something to teach them. In particular, democracies will go through tough times, perhaps ruled by tyrants and corrupt Administrations, as has been the case in our beloved history here in America, but nonetheless, we have never sanctioned or approved

the overthrow of our government, other than by the peaceful transfer of power through an election. So I cannot see, while the gentleman makes a good point, that perhaps the immediate restoration is not possible. I think that it is, in fact, the appropriate language.

The gentleman makes an interesting point with regard to IMET. Hopefully, you and the gentleman from Connecticut can work that out, but we need to send a clear message to all the fledgling democracies, and I say all of this with enormous regard and respect for the gentleman from Nebraska who I generally agree with.

Chairman GILMAN [presiding.] Mr. Bereuter's time has expired.

Mr. Menendez.

Mr. MENENDEZ. Thank you, Mr. Chairman.

As Mr. Gejdenson tries to work something out with Mr. Bereuter, I want to speak up for Mr. Gejdenson's substitute. The fact of the matter is that I think we run a great risk of sending a message throughout the world that it is OK to go ahead and have a military coup, and that we will sit here idly, as a country to which we have given so much military assistance and weapons, in essence uses that assistance to overthrow their own government, as well as to be potentially antagonistic to their neighbors.

It is impossible to believe that if, God forbid, tomorrow we here in the Congress are overtaken by a military coup that we would want the rest of the free world to remain silent while that, was taking place. It is impossible to believe that the simple condemnation of the overthrow of a democratically elected government, in violation of its own constitution, and the suspension of that constitution, and the dismissal of its national government is so objectionable, particularly given the grave concerns that we have for security and stability in South Asia. Mr. Chairman, can I have order, please? I can't hear myself.

Chairman GILMAN. The Committee will come to order, please, so the gentleman can be heard.

Mr. Menendez, have you completed your statement?

Mr. MENENDEZ. Let me just simply say that it seems to me we have a double standard being advocated here. We continuously speak out against military coups in all parts of the world, and we clearly should be saying that there will be no further military armament sales to a country that has defied all of its own constitutional standards, not to mention our own beliefs and what we promote throughout the world.

We should support Mr. Gejdenson's substitute, and I yield back the balance of my time.

Chairman GILMAN. Thank you, Mr. Menendez.

Mr. Delahunt.

Mr. DELAHUNT. I move the question.

Chairman GILMAN. That is out of order at the moment.

Mr. DELAHUNT. Then I would just like to speak then, if I could.

Chairman GILMAN. We have two other speakers. Yes, Mr. Delahunt.

Mr. DELAHUNT. Well, I just would like to suggest that in terms of stability in the subcontinent and the relationship between India and Pakistan, it was the former prime minister who was the target of the coup who initiated cross-diplomacy, who initiated efforts in terms of a detente, if you will, a rapprochement between India and

Pakistan. It is also my understanding that it was the Pakistani military that roundly criticized the former Prime Minister Sharif, and that clearly was a factor in the equation that led to the coup. So, if we are interested in the relationship between Pakistan and India, we should condemn Pakistan and this military coup d'etat in the strongest possible terms, and I support the Gejdenson Amendment.

Chairman GILMAN. Mr. Rohrabacher.

Mr. ROHRABACHER. Mr. Chairman, I voted against the effort in Committee to water down this resolution in the first place, and I certainly agree with Mr. Gejdenson that we must use the strongest possible terms to not only condemn but also to set a course for American foreign policy, especially when a democratically elected government is overthrown by a military power.

I will go very quickly, Mr. Gejdenson, because I know you have reached your compromise and I will be supporting that compromise—no, you haven't? I am supporting Mr. Gejdenson, even if he didn't reach a compromise, but let me be very specific on one item here.

This military regime has not even gone so far as to announce the date of a plebiscite. If they believe that they have the will of the people behind them and that they have this overwhelming corruption that mandated their interference with the democratic process, at the very least they needed to go to the people and have the people give them some kind of a recognition of that. We believe that the government derives its just powers from the consent of the governed, and if they do not have that consent of the governed, at least in the form of a plebiscite, what we face in Pakistan is nothing more than a group of gangsters with guns overthrowing a democratically elected government.

Now, again, if they announce within the next month that they are going to have a plebiscite to justify so the public will have an up-and-down vote on this, then maybe we can come back and look again at what our policy should be. But until that moment and until there is a vote, it is incumbent upon us to say stability is not the factor, but freedom and justice—and the very heart of our value system in the United States demands that we take another position rather than stability.

Finally, Mr. Chairman, I would like to say that India, again, India has not used the ballot box to solve the problem in the Kashmir, and I don't want people to forget this. I have been a big supporter of Pakistan on that issue, but the fact is today we side with the people of Pakistan when we side with democracy, and let the people of Pakistan make their own determination as to who their government will be.

So, with that, I yield back the balance of my time.

Chairman GILMAN. Mr. Ackerman.

Mr. ACKERMAN. Thank you, Mr. Chairman.

Let me say how much I appreciate the remarks of the gentleman from California on this issue.

I have a formal statement that I will make in a couple of seconds, but just a couple of points that need clearing up, I believe.

First of all, General Musharraf has already gone on record on BBC that he is not going to have a plebiscite. So for those people

that are hanging their hopes on the notion that he is going to have a plebiscite any time soon, you should know that by his own statement he is not.

In addition to that, it should be noted, although a technicality, for the record, that former deposed Prime Minister Sharif had said that they were going to withdraw the troops from the line of control. General Musharraf, nonetheless, has withdrawn them to the international border. They are still right up against the line of control.

So that is not accurate, either.

We seem to be wishy-washy here for some reason, and I don't know why. You have a military coup that overthrew a democratically elected government, regardless of what one might have thought of the government, and the generals have taken power.

I am generally in favor of IMET in almost every single circumstance, and that is why military leaders from other countries come here—so we can teach them how to act democratically. Why on earth, in this case, would we seek to legitimize the generals on the other side who overthrew the government, usurped civilian authority and are now the government? Then we are going to say as a reward for them overthrowing the civilian government we are going to teach them how to get along with the population? It is an air of legitimacy that we should not be giving them.

I think this has been a very, very good debate, and I would hope that our friends on the other side, some of whom have spoken and some of whom have left, would not be attempting to deny us a quorum so that we could proceed to this vote at the appropriate time, Mr. Chairman, because that also would be a thwarting of the democratic process.

Let us have the vote, whichever way it turns out, and abide by the process.

Chairman GILMAN. Thank you, Mr. Ackerman.

Mr. ACKERMAN. I would like to ask unanimous consent that my prepared statement be inserted in the record.

Chairman GILMAN. Without objection.

[The prepared statement of Mr. Ackerman appears in the appendix.]

Chairman GILMAN. The question is now on the Gejdenson Amendment. All those in favor, signify in the usual manner. Opposed?

The Gejdenson amendment is carried.

Mr. GEJDENSON. I ask for a record vote.

Chairman GILMAN. Mr. Gejdenson asks for a record vote.

Mr. BEREUTER. Mr. Chairman, reserving a point of order.

Chairman GILMAN. The gentleman will state his point of order.

Mr. BEREUTER. Mr. Chairman, I would suggest that a quorum is not present.

I just want my colleagues to know that I heard what Mr. Ackerman had to say. There are other issues that we need to cooperate on.

So I withdraw my point of order. I withdraw my reservation.

Chairman GILMAN. The gentleman withdraws his point of order and withdraws his reservation. The question is on the Gejdenson

Amendment. Roll call. All in favor of a roll call, signify in the usual manner, raise their hands.

A sufficient number. The clerk will call the roll on the Gejdenson Amendment.

Ms. BLOOMER. Mr. Gilman.
Chairman GILMAN. Aye.
Ms. BLOOMER. Mr. Gilman votes yes.
Mr. Goodling.
[no response.]
Ms. BLOOMER. Mr. Leach.
[no response.]
Ms. BLOOMER. Mr. Hyde.
[No response.]
Ms. BLOOMER. Mr. Bereuter.
Mr. BEREUTER. No.
Ms. BLOOMER. Mr. Bereuter votes no.
Mr. Smith.
[No response.]
Ms. BLOOMER. Mr. Burton.
[No response.]
Ms. BLOOMER. Mr. Gallegly.
[No response.]
Ms. BLOOMER. Ms. Ros-Lehtinen.
Ms. ROS-LEHTINEN. Yes.
Ms. BLOOMER. Ms. Ros-Lehtinen votes yes.
Mr. Ballenger.
[No response.]
Ms. BLOOMER. Mr. Rohrabacher.
Mr. ROHRABACHER. Yes.
Ms. BLOOMER. Mr. Rohrabacher votes yes.
Mr. Manzullo.
[no response.]
Ms. BLOOMER. Mr. Royce.
[No response.]
Ms. BLOOMER. Mr. King.
[No response.]
Ms. BLOOMER. Mr. Chabot.
[No response.]
Ms. BLOOMER. Mr. Sanford.
[No response.]
Ms. BLOOMER. Mr. Salmon.
[No response.]
Ms. BLOOMER. Mr. Houghton.
[No response.]
Ms. BLOOMER. Mr. Campbell.
[No response.]
Ms. BLOOMER. Mr. McHugh.
[No response.]
Ms. BLOOMER. Mr. Brady.
[No response.]
Ms. BLOOMER. Mr. Burr.
[No response.]
Ms. BLOOMER. Mr. Gillmor.
[No response.]

Ms. BLOOMER. Mr. Radanovich.
Mr. RADANOVICH. Aye.
Ms. BLOOMER. Mr. Radanovich votes yes.
Mr. Cooksey.
Mr. COOKSEY. Yes.
Ms. BLOOMER. Mr. Cooksey votes yes.
Mr. Tancredo.
[No response.]
Ms. BLOOMER. Mr. Gejdenson.
Mr. GEJDENSON. Aye.
Ms. BLOOMER. Mr. Gejdenson votes yes.
Mr. Lantos.
[No response.]
Ms. BLOOMER. Mr. Berman.
Mr. BERMAN. Aye.
Ms. BLOOMER. Mr. Berman votes yes.
Mr. Ackerman.
Mr. ACKERMAN. Yes.
Ms. BLOOMER. Mr. Ackerman votes yes.
Mr. Faleomavaega.
[No response.]
Ms. BLOOMER. Mr. Martinez.
[No response.]
Ms. BLOOMER. Mr. Payne.
[No response.]
Ms. BLOOMER. Mr. Menendez.
Mr. MENENDEZ. Yes.
Ms. BLOOMER. Mr. Menendez votes yes.
Mr. Brown.
Mr. BROWN. Yes.
Ms. BLOOMER. Mr. Brown votes yes.
Ms. McKinney.
[No response.]
Ms. BLOOMER. Mr. Hastings.
[No response.]
Ms. BLOOMER. Ms. Danner.
Ms. DANNER. Aye.
Ms. BLOOMER. Ms. Danner votes yes.
Mr. Hilliard.
Mr. HILLIARD. Yes.
Ms. BLOOMER. Mr. Hilliard votes yes.
Mr. Sherman.
Mr. SHERMAN. Yes.
Ms. BLOOMER. Mr. Sherman votes yes.
Mr. Wexler.
[No response.]
Ms. BLOOMER. Mr. Rothman.
Mr. ROTHMAN. Aye.
Ms. BLOOMER. Mr. Rothman votes yes.
Mr. Davis.
Mr. DAVIS. Yes.
Ms. BLOOMER. Mr. Davis votes yes.
Mr. Pomeroy.
Mr. POMEROY. Aye.

Ms. BLOOMER. Mr. Pomeroy votes yes.
Mr. Delahunt.
Mr. DELAHUNT. Yes.
Ms. BLOOMER. Mr. Delahunt votes yes.
Mr. Meeks.
[No response.]
Ms. BLOOMER. Ms. Lee.
Ms. LEE. Aye.
Ms. BLOOMER. Ms. Lee votes yes.
Mr. Crowley.
Mr. CROWLEY. Aye.
Ms. BLOOMER. Mr. Crowley votes yes.
Mr. Hoeffel.
Mr. HOEFFEL. Yes.
Ms. BLOOMER. Mr. Hoeffel votes yes.
Chairman GILMAN. The clerk will call the absentees.
Ms. BLOOMER. Mr. Goodling.
[No response.]
Ms. BLOOMER. Mr. Leach.
[No response.]
Ms. BLOOMER. Mr. Hyde.
[No response.]
Ms. BLOOMER. Mr. Smith.
Mr. SMITH. Aye.
Ms. BLOOMER. Mr. Smith votes yes.
Mr. Burton.
Mr. BURTON. No.
Ms. BLOOMER. Mr. Burton votes no.
Mr. Gallegly.
[No response.]
Ms. BLOOMER. Mr. Ballenger.
Mr. BALLENGER. No.
Ms. BLOOMER. Mr. Ballenger votes no.
Mr. Manzullo.
[No response.]
Ms. BLOOMER. Mr. Royce.
[No response.]
Ms. BLOOMER. Mr. King.
[No response.]
Ms. BLOOMER. Mr. Chabot.
[No response.]
Ms. BLOOMER. Mr. Sanford.
[No response.]
Ms. BLOOMER. Mr. Salmon.
[No response.]
Ms. BLOOMER. Mr. Houghton.
[No response.]
Ms. BLOOMER. Mr. Campbell.
[No response.]
Ms. BLOOMER. Mr. McHugh.
[No response.]
Ms. BLOOMER. Mr. Brady.
[No response.]
Ms. BLOOMER. Mr. Burr.

[No response.]
Ms. BLOOMER. Mr. Gillmor.
[No response.]
Ms. BLOOMER. Mr. Tancredo.
[No response.]
Ms. BLOOMER. Mr. Lantos.
[No response.]
Ms. BLOOMER. Mr. Faleomavaega.
[No response.]
Ms. BLOOMER. Mr. Martinez.
Mr. MARTINEZ. No.
Ms. BLOOMER. Mr. Martinez votes no.
Mr. Payne.
[No response.]
Ms. BLOOMER. Ms. McKinney.
[No response.]
Ms. BLOOMER. Mr. Hastings.
[No response.]
Ms. BLOOMER. Mr. Wexler.
[No response.]
Ms. BLOOMER. Mr. Meeks.
[No response.]
Chairman GILMAN. The clerk will report the tally.
Ms. BLOOMER. On this vote, there were 21 ayes and 4 noes.
Chairman GILMAN. The amendment is agreed to.
The question is on the——
Mr. BEREUTER. Mr. Chairman.
Chairman GILMAN. Mr. Bereuter.
Mr. BEREUTER. Mr. Chairman, may I be recognized on the resolution, as amended?
Chairman GILMAN. The gentleman is recognized for 5 minutes on the resolution, as amended.
Mr. BEREUTER. Thank you, Mr. Chairman.
There are matters of degree and matters of concern. We have had a good debate on these issues. I happen to disagree with the emphasis on the one item in particular, but I always will have to vote no on stopping IMET.
IMET always has a positive effect, almost always, on all the people that train in this country, and I want it to be known that my vote against the resolution as now amended will be because of what you have done to IMET.
I yield back.
Mr. BERMAN. Will the gentleman yield?
Mr. BEREUTER. Yes, I yield. I would yield to the gentleman from California.
Mr. BERMAN. I have tended to agree with that proposition, but watching events in Indonesia over the past 4 months—and I understand that IMET was massively restricted, but we still had an IMET Program—this did not seem like an army that respected civilian rights or even command and control from the top. I say that sincerely. It seems to me that there were examples of people who were the beneficiaries of IMET who, in terms of their conduct at that particular time, will not demonstrate——

Mr. BEREUTER. Reclaiming my time, Mr. Berman, I would just like to remind the gentleman, I believe I am correct on this, that IMET Program, which we revised to E-IMET to emphasize more human rights, had been stopped, and our military was criticized for therefore instituting something else or a training program without authorization or without specific notice to the Congress. But I believe that the E-IMET Program and IMET Program had been stopped some time ago. I yield back.

Chairman GILMAN. The question is on agreeing to the Subcommittee recommendations.

Mr. BURTON. Mr. Chairman.

Chairman GILMAN. Mr. Burton.

Mr. BURTON. I don't know whether we have a quorum or not, but I would like to make a point of order that a quorum is not present, and we can take a count.

Chairman GILMAN. We will suspend, and the clerk——

Mr. ACKERMAN. Point of order, Mr. Chairman.

Chairman GILMAN. What is the gentleman's point of order?

Mr. ACKERMAN. I believe there is no vote pending, and therefore a motion that a quorum is not here is, I believe, not in order until a vote is requested.

The last thing we did about 3 minutes ago was have a vote, and a quorum was present. Twenty-one and 4 is 25.

Chairman GILMAN. Let me resolve it. A quorum is present at the present time.

The question is now on agreeing to the Subcommittee's recommendation in the nature of a substitute as amended. All in favor, say aye. All opposed, say no.

The ayes have it.

The gentlewoman from Florida, Ms. Ros-Lehtinen, is recognized to offer a motion.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman.

I move that the Chairman be requested to seek consideration of the pending resolution, as amended, on the suspension calendar.

Chairman GILMAN. The question is on the motion of the gentlelady from Florida. As many as are in favor of the motion, say aye. As many as are opposed, say no.

The ayes have it. The motion is agreed to. Further proceedings on this measure are postponed.

A quorum is present.

We now proceed to H.Res. 169, referring to the Lao People's Democratic Republic, expressing the sense of the House relative to the Lao People's Democratic Republic.

The Chair lays the resolution before the Committee. The clerk will report the title of the resolution.

Ms. BLOOMER. H.Res. 169, a resolution expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic.

Chairman GILMAN. This resolution was considered by the Subcommittee on Asia and the Pacific, reported with an amendment in the nature of a substitute. Without objection, the Subcommittee recommendation will be considered as original text for the purposes of amendment. The preamble and operative language in the Sub-

committee resolution will be read in that order for amendment. The clerk will read.

Ms. BLOOMER. Whereas, since the 1975 overthrow of the existing Royal Lao Government——

Chairman GILMAN. Without objection, the Subcommittee recommendation is considered as having been read, and is open to amendment at any point.

[The information referred to appears in the appendix.]

Chairman GILMAN. I now recognize the distinguished gentleman from Nebraska, the Chairman of the Subcommittee of Asia and the Pacific, Mr. Bereuter, to introduce a resolution.

Mr. BEREUTER. Thank you, Mr. Chairman.

This resolution, introduced by our colleague, Mr. Vento, deserves support.

It was cosponsored by a number of our colleagues, including our colleague, Mr. Radanovich, as I recall, and also Mr. Green, who is in attendance here, and other Members.

The amendments were purely technical, changing the names of the ruling parties and convention dates and so on. The major concerns I would have relate to the possibility, as I understand it, that the resolution will be amended to incorporate provisions from House Resolution 332.

I would like to call my colleagues' attention to a memo distributed to you earlier this afternoon dated October 28, 1999. It was addressed to Chairman Gilman, and I think it is important that you understand the context of the resolution before us by understanding what House Resolution 332 would do.

That one was introduced by Representative Mark Green and cosponsored by the chairman, dealing primarily with the issue of the disappearance in Laos last April of two Laotian- Americans, Michael Vang and Mr. Ly Houa. I am not sure about the pronunciation of that name.

No trace of these men has yet been found. There have been allegations that these men were apprehended and killed by Lao authorities. If true, this would be a deeply disturbing development. The men are constituents of Mr. Green and Mr. Radanovich, who are, rightly, extremely concerned about their welfare.

As a result of our own preliminary investigation, it would seem that there are a number of unresolved issues surrounding these men's disappearance. The incident remains the subject of an ongoing FBI investigation requested by the U.S. Ambassador to Laos at the time, Ms. Wendy Chamberlain.

While the circumstances of these men's disappearance remain murky, there have been a number of unproven and frequently contradictory reports that suggest, alternatively, that these men ran afoul of drug traffickers that haunt the area of the Golden Triangle where they disappeared, or that they ran afoul of Lao military authorities while involved in cross-border insurgent activities, or even that they may have disappeared for their own reasons.

I am told there are also reports that Mr. Vang and Mr. Houa may have been engaged in illegal activities at the time of their disappearance.

The FBI continues to investigate. I am concerned because of the unpleasant history that exists between Ambassador Chamberlain

and certain elements of the Lao-American community. Her offense, I am told, is that she reiterated longstanding U.S. policy that the United States does not support the violent overthrow of any nation with which it has diplomatic relations.

Other Laotian-Americans seem to be angry at her for successfully expressing fraudulent claims for political asylum. In 1998, she received death threats prior to a speech to Hmong and Lao-Americans in Minnesota, and an individual was discovered carrying a hand grenade in the crowd.

In a subsequent meeting with other Laotian-Americans in Denver, where she was ordered to go by her superiors in order to discuss matters with a more conservative group of Hmong and Lao-Americans, additional credible death threats were issued, and the FBI had to provide her protection.

I have met with our former Ambassador, Ambassador Chamberlain. I think she took the steps necessary to investigate it. She realized it was far more complicated than her capacity, and you will find attached a chronology of events that took place.

[The information referred to appears in the appendix.]

Mr. BEREUTER. In short, nothing about the circumstances of this case appears clear at this time. Many of the details are highly classified, involve sources and methods of intelligence.

On the same day I sent this memo, I asked, by letter, Chairman Porter Goss of the Permanent Select Committee on Intelligence to assist us in investigating this matter.

I hope my colleagues will support the Vento Amendment, but be very careful about how it might be amended. Certainly, I think that there can be some accommodations made to Members who are legitimately very concerned about their constituents and their families, especially in the upper Midwest but also in California. But we have to be careful that we don't do something quite unprecedented, condemning a specific member of our Foreign Service where it is not clear that she deserves that condemnation.

In fact, I suspect she does not. I think she took all of the proper steps—when she is under death threat in this country. People have to learn who are refugees or citizens or are applying for citizenship. We don't do violence to our Ambassadors when they are asked to come and speak to us.

So I urge my colleagues to be very careful about this resolution and stick with the Vento Resolution as presented to you. I thank my colleagues.

Chairman GILMAN. Mr. Gejdenson.

Mr. GEJDENSON. Mr. Chairman, I would like to join with my friend from Nebraska, who I think has a well-balanced view on this, and I would support his approach.

Chairman GILMAN. Mr. Rohrabacher.

Mr. ROHRABACHER. Mr. Chairman, I think that we have to understand that the government of Laos is not a government of Laos. We just talked about what happened in Pakistan. We had all these voices, Mr. Gejdenson's voice the strongest of all, talking about the importance of democracy. Yet in Laos we have a vicious dictatorship that makes the military regime in Pakistan look like a Betty Crocker cooking class, for Pete's sake.

Mr. GEJDENSON. Will the gentleman yield for one moment?

Mr. ROHRABACHER. I certainly will.

Mr. GEJDENSON. I will just tell you, I agree with the gentleman's assessment that the situation there is terrible. What I am not able to conclude is how these two individuals disappeared, or what they were involved in doing.

Now, there are lots of allegations. As a Member of Congress, I am hesitant to bring out every allegation until there is a lot more evidence about these two individuals, but I have not seen evidence——

Mr. ROHRABACHER. OK. That is fair.

Mr. GEJDENSON [continuing]. That, as bad as this government is, and I agree with that, that the government has done that.

Mr. ROHRABACHER. OK.

Mr. GEJDENSON. I also am hesitant to just gratuitously attack American Ambassadors, and so I have those two basic problems with this bill.

Mr. ROHRABACHER. Reclaiming my time, let me make another point.

Mr. BEREUTER. Will the gentleman yield?

Mr. ROHRABACHER. I will be happy to do that after I make my point, Doug.

Let us not give the benefit of doubt to some communist dictatorship in Laos while holding back the benefit of the doubt to two American citizens. The fact is, two American citizens have disappeared. They are not second-class citizens. They happen to have been born in another country, but they are not second-class citizens. They deserve every protection and every benefit of the doubt. Their government should move forward—assuming not that they are guilty of something, but assuming that they have not done something. We must not predicate our action on Laotians or other people who are going back into those areas that they may be doing something illegal. They have ties to their homeland.

Mr. RADANOVICH. Mr. Chairman, point of order.

Chairman GILMAN. The gentleman will state his point of order.

Mr. RADANOVICH. Mr. Chairman, we are discussing an amendment that hasn't even been introduced yet. I would like the privilege of offering it before we discuss it.

Chairman GILMAN. The gentleman is correct.

Mr. RADANOVICH. Thank you.

Mr. BEREUTER. Will the gentleman yield?

Mr. ROHRABACHER. The gentleman's point is well taken, but I would be happy to yield to my good friend, Mr. Bereuter, because I know he has some points he needs to make.

Mr. BEREUTER. I will avoid discussing the amendment that may be offered—but hopefully won't. I would say to the gentleman I agree with his assessment of the Laotian government, as Mr. Gejdenson did.

The important point, it seems to me, is that we should not, and do not, rely on the Laotian government and what they tell us, but we do, I think, have to give the benefit of the doubt when our own Foreign Service personnel, intelligence agencies and the FBI give us tentative reports at this point.

I yield back and thank the gentleman.

Mr. ROHRABACHER. Let me just say for the record, I have been misled, and I have been given information that was not complete information by people in various embassies throughout the world.

I cannot assume any longer that when I got to the Philippines they really couldn't help arrange that trip to the Spratlys, that their plane really was broken down, and I had to get a flight on a C–130 from the Philippine Air Force instead. I am sorry. I think that, frankly, I would rather assume the best about my Laotian-American citizens who disappear, rather than just assume that there is some question, murky question, being risen someplace, which they don't want to go into detail, by some embassy personnel somewhere.

No one is justifying any threat of violence against any person who works for the U.S. Government, any one of our Ambassadors. We will condemn that over and over again. Clearly, Mr. Radanovich and everyone else—if anyone, I don't care if they are Laotian-Americans or whatever, threatens violence against an American diplomat anywhere, we are going to come down hard on them. But in this specific case, let's not assume the worst about two American citizens until that is absolutely proven.

They disappeared. Their families and their community and their friends are crying out for help from their government. They are getting what? They are getting a lot of, well, maybe this and maybe that.

Mr. BEREUTER. Will the gentleman yield again?

Mr. ROHRABACHER. Yes, sir, I certainly will.

Mr. BEREUTER. I thank the gentleman.

The point I tried to make is that we don't know the facts. We deserve to have the facts before we act. That is the only point.

Mr. ROHRABACHER. All right. With that, listen, let me just say, Doug Bereuter is a sincere person, and Mr. Gejdenson obviously is a sincere person, and we are trying to do our best. In this particular case, I think we have got to be strong and forceful, just like we were when talking about Pakistan a few moments ago. In this case, it is even worse because the lives of two American citizens are just being taken for granted.

Chairman GILMAN. The gentleman's time has expired.

Does any other Member seek recognition?

Mr. RADANOVICH. I do, Mr. Chairman. I would like to offer an amendment.

Chairman GILMAN. Mr. Radanovich has an amendment at the desk.

Mr. BEREUTER. Mr. Chairman, I reserve a point of order.

Chairman GILMAN. The gentleman will state his point of order.

Mr. BEREUTER. I am just reserving a point of order.

Chairman GILMAN. The gentleman is entitled to reserve his point of order.

The clerk will report the amendment and distribute it.

Mr. ACKERMAN. Mr. Chairman, I reserve a point of order as well.

Chairman GILMAN. The gentleman reserves a point of order.

Ms. BLOOMER. Perfecting amendment offered by Mr. Radanovich. Add the following to the preamble: Whereas two United States citizens, Mr. Houa Ly, a resident of Appleton, Wisconsin, and Mr. Michael Vang, a resident of Fresno, California——

Chairman GILMAN. Without objection, the amendment is considered as having been read.

[The information referred to appears in the appendix.]

Chairman GILMAN. The gentleman is recognized for 5 minutes on his amendment.

Mr. RADANOVICH. Thank you, Mr. Chairman.

My perfecting amendment adds important information from a bill that Mr. Green of Wisconsin and I introduced last month, a bill that enjoyed ten original cosponsors, including you, Mr. Chairman, and Mr. Rohrabacher and Mr. Smith of this Committee. I believe that my amendment is a fair compromise and retains much of the original language of H.R. 169, while strengthening it significantly.

I believe it is imperative that this bill address the case of two American citizens abducted in Laos last spring, a constituent of mine, Mr. Michel Vang of Fresno, California, and a constituent of Mr. Green's, Mr. Houa Ly of Appleton, Wisconsin.

These two Hmong-American citizens were traveling along the border between Laos and Thailand in April of this year when they were seized by Lao Government authorities. Mr. Vang and Mr. Ly have not been heard from since.

Now, normally when American citizens are abducted by another country, the State Department would condemn the action, warn the country of possible sanctions or even launch an independent investigation. However, our State Department's only and best response has been to coordinate an investigation in cooperation with Lao authorities.

This cooperative approach was not meant to yield real results. Ironically, our State Department is working hard on Capitol Hill to garner support for normalized trade relations for Laos.

My amendment to H.R. 169 keeps much needed pressure on both the Lao Government and the State Department to provide us with the truth. In my mind, NTR for Lao's should not be considered until this case is resolved, although NTR is not a part of this bill and their human rights record has been seriously addressed.

My amendment to H.R. 169 emphasizes our dissatisfaction with the State Department's flawed investigative process. Our resolution calls on the Lao authorities to release all information about Mr. Vang and Mr. Ly immediately and discuss the serious consequences of acts of aggressions against American citizens.

I believe that we would be remiss to take up a bill regarding human rights abuses in Laos and neglect to address the case of two American citizens abducted by Lao authorities. Again, I am sympathetic to the issue regarding Ambassador Chamberlain, but I would say that as the investigation is ongoing, the families who are also American citizens back here have no word at all about the fate of their husbands, whether they have been killed and, if so, by whom, which ought to be resolved immediately.

We are talking about American citizens, and the families who are American citizens in this country have a right to know.

Chairman GILMAN. Thank you, Mr. Radanovich.

Mr. Ackerman.

Mr. ACKERMAN. I withdraw my point of order.

Chairman GILMAN. Mr. Ackerman withdraws his point of order.

Are any other Members seeking recognition?

Ms. Danner.

Ms. DANNER. Thank you, Mr. Chairman. I would just like some clarification, and I will admit to you I am not wearing my glasses, but let's look on what is titled as page 4, you have numeral 2 there, and then you have one line slashed through it. Then you have 3. If that is not numeral 2 because of the slash, then the numbers are misordered.

Then as one goes to the bottom of the handwritten section on that page, do we skip from the "and" at the bottom of page 4 to the "amend" on page 5?

Mr. RADANOVICH. If I may, regarding the top of page 4 where it originally read as section 3 is called section 2.

Ms. DANNER. Yes.

Mr. RADANOVICH. That paragraph is intact. I am sorry for the line crossing it out. It is misleading.

The only part that is not included in that section are the words, "and the Department of State."

Ms. DANNER. OK.

Mr. RADANOVICH. As to the second question, you read it correctly.

Ms. DANNER. Thank you.

Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Ms. Danner.

Mr. BEREUTER. Mr. Chairman, may I ask that the State Department be allowed to address some questions here?

Chairman GILMAN. Is there someone from the State Department here? Would you please take this chair? Please identify yourself.

Ms. JACOBS. Thank you, Mr. Chairman.

Chairman GILMAN. Please identify yourself.

Ms. JACOBS. My name is Susan Jacobs and I am a Deputy Assistant Secretary of State in Legislative Affairs at the Department of State.

Chairman GILMAN. Thank you.

Mr. Bereuter.

Mr. BEREUTER. Thank you.

Ms. Jacobs, first of all, the amendment, as you have noted, has been changed from the original text of H.Res. 332. I don't know if you have been able to follow it or if you have it in front of you.

Ms. JACOBS. I have the perfecting amendment in front of me.

Mr. BEREUTER. If I could, I think the gentleman from California's—I think I have it—but on page 4, for example, the gentleman in subparagraphs 3 and 4, which would remain in his amendment, urges the Lao Government to return Messrs. Vang and Ly or their remains to U.S. authorities and their families in America at once. That is assuming they would have them, those remains or those missing persons.

The gentleman also warns, number 4, the Lao Government of the serious consequences, including sanctions, of any unjustified arrest, abduction, imprisonment, disappearance or other acts of aggression against U.S. citizens.

Now, it seems to me that while we do not appropriately jump to the conclusion that they have been abducted or that they have been killed, we don't know, these two paragraphs would not appear to be damaging to a resolution we might pass.

Ms. Jacobs, would you care to comment on those two specific subparagraphs?

Ms. JACOBS. I would agree with your assessment, sir. We feel terrible that we don't know what has happened to these two men. We are making every effort that we can. Ambassador Chamberlain, who left post in—I believe it was the end of May—did call in the FBI because she didn't want to rely totally on the Laotian Government.

So I think that to characterize her and to condemn her is incredibly unfair.

Mr. BEREUTER. So, Ms. Jacobs, then on page 3, the two following whereas clauses that are there, make specific reference to failures of the U.S. Government and negative assessment about Ambassador Chamberlain, as I would read it. Does the State Department accept those or reject those?

Ms. JACOBS. I totally reject those. I think that she did exactly what she could do, and especially by calling in the FBI, she went beyond what an ambassador would normally do.

Mr. BEREUTER. She indicated to me she thought this was such a grave matter and so serious that she did not have the capacity within her embassy or any attached groups to investigate it fully. So my understanding, from the cable traffic and from the chronology that resulted from it, is she immediately called in for outside assistance from the Federal Bureau of Investigation; perhaps intelligence agencies as well. Is that your understanding?

Ms. JACOBS. That is absolutely correct, sir. Most embassies do not have separate investigative abilities, and she did absolutely the right thing by calling in the FBI and relying on other agencies to assist in the investigation.

Chairman GILMAN. Will the gentleman yield?

Mr. ACKERMAN. Will the gentleman yield?

Mr. BEREUTER. I will be happy to yield, to the Chairman first and then to Mr. Ackerman.

Chairman GILMAN. Thank you.

Ms. Jacobs, you say this resolution condemns the Ambassador, and yet I am reading the paragraph on page 3, "Whereas the chief response to this incident by the Department of State and U.S. Ambassador to Laos Wendy Chamberlain has been to undertake an investigation in cooperation with the regime in Laos—a regime involved with the disappearance of Messrs. Ly and Vang." I don't see any condemnation of Ambassador Chamberlain.

Ms. JACOBS. I think with all due respect, Mr. Chairman, I think it jumps to a conclusion. We don't know how these men disappeared yet, and it doesn't go far enough in saying that she did call in the FBI. She did not rely on the Laotian Government.

Chairman GILMAN. But the paragraph says she did undertake an investigation in cooperation with the regime. She undertook an investigation; is that a fact?

Ms. JACOBS. But it begins the characterization by saying that was her chief response.

Her chief response was to call in the FBI and to seek their assistance.

Chairman GILMAN. I think we are playing with words. I don't think that paragraph is intended to hurt the reputation of the Ambassador. It just recites what the facts were.

Ms. JACOBS. I would suggest, then, that it clarify everything that she did, and not say that is all that she did, with all due respect.

Chairman GILMAN. I yield back to Mr. Bereuter.

Mr. RADANOVICH. Mr. Chairman.

Chairman GILMAN. Mr. Bereuter's time has expired.

Mr. Ackerman.

Mr. ACKERMAN. Yes. On my own time then, Mr. Chairman?

Chairman GILMAN. Yes, you are recognized for 5 minutes.

Mr. ACKERMAN. Thank you. Mr. Chairman, those two paragraphs, taken as a whole, are fairly pejorative and negative toward both the U.S. Government, particularly the State Department, and to the Ambassador.

Basically, it reads, and it depends on your emphasis, it is not a positive statement to say that she engaged in an investigation. This basically says the only thing she did was to collude with a corrupt, lying son-of-a-gun government.

Chairman GILMAN. Would the gentleman yield? It doesn't say the only thing. It says, "Whereas the chief response. . ."

Mr. ACKERMAN. Yes. It says her chief response, which means the main thing that she did was to be in cahoots with this horrible, corrupt, thieving, conniving government made up of a bunch of SOB's—a regime that is involved with the disappearance.

It accuses the regime of being in cahoots with the disappearance, and of the Ambassador being in collusion because she only is cooperating with the people who it says abducted them.

Mr. Chairman, I think there is a growing consensus that there are a great number of us on the Committee, on both sides of the aisle, that would be willing to support the resolution if it could be accepted by Mr. Bereuter, or whoever, that we just drop those two paragraphs on page 3.

The rest of it, I think, is acceptable.

Chairman GILMAN. I thank the gentleman for his comments. I think they are attempting to work out some of the language that might satisfy the gentleman.

Mr. ACKERMAN. Would that be acceptable to Mr. Bereuter and/or Mr. Radanovich?

Mr. RADANOVICH. What was that? I am sorry. We were talking.

Mr. ACKERMAN. If on page 3, two of those whereas clauses were just dropped.

Mr. BEREUTER. Would the gentleman yield?

Mr. ACKERMAN. I certainly do.

Mr. BEREUTER. I have been discussing that with Mr. Radanovich. He can speak for himself but I suggested those two are problematic. I believe our staffs are working also on subparagraph 4, original subparagraph 4, on page 4.

We don't know that the Lao Government has abducted them; but you could say if it is determined that they have, then we urge them to return such and such to the authorities or their families in the U.S. But I think those things would——

Mr. ACKERMAN. I would agree with the gentleman from Nebraska.

Chairman GILMAN. Mr. Rohrabacher.

Mr. ROHRABACHER. Mr. Chairman, I would like to ask our State Department witnesses just a couple upfront questions. Is it your testimony that there is no evidence suggesting that the Lao Government had anything to do with the disappearance of these two American citizens?

Ms. JACOBS. I don't have the evidence at my disposal. I don't know what we know and what we don't know.

Mr. ROHRABACHER. That is not the question I asked. Are you testifying that there is no evidence, that—you are not testifying to that; is that correct?

Ms. JACOBS. Sir, I don't know what we know.

Mr. ROHRABACHER. So, OK. So you are testifying that we don't know? OK. You are not testifying that there is no evidence? You are testifying that you don't know.

What about you? Are you testifying, sir, the gentleman here? Anybody else from the State Department here?

Ms. JACOBS. Apparently there are contradictory reports but no evidence.

Mr. ROHRABACHER. OK. Is there anyone else from the State Department here that is testifying on this issue?

Ms. JACOBS. No.

Mr. ROHRABACHER. So the State Department's position is what?

Ms. JACOBS. Our position is that there are many contradictory reports. We don't know what the truth is.

Mr. ROHRABACHER. Oh, so there are some reports that the government had something to do with the disappearance?

Ms. JACOBS. I don't know the content of the reports.

Mr. ROHRABACHER. You just said there were contradictory reports.

Ms. JACOBS. But I didn't say who they were from.

Mr. ROHRABACHER. I didn't ask you who they were from. I asked you whether or not there was a report suggesting that the government of Laos was involved in their disappearance. You have just indicated, yes, there are contradictory reports.

Mr. ACKERMAN. Mr. Chairman.

Ms. JACOBS. I do not know what is in the report.

Mr. ACKERMAN. Will the gentleman yield?

Mr. ROHRABACHER. No, I will not yield. I think this is important. We finally got her to a point where she is telling us something, after we dig it out.

Mr. GEJDENSON. Could I just make one suggestion, and you are doing a great job here and I think you have gotten them to say some things they didn't want to say, but I would suggest that you get the intel briefing and maybe all the Committee Members ought to get the intel briefing before we make the assumption of fact.

Mr. ROHRABACHER. OK. I think that is a very good suggestion, especially after we have testimony from the State Department trying to lead us in exactly one direction, but after three or four questions we hear something taking us back in the other direction. I want to state for the record, Mr. Chairman, that this is not—some people wonder why we have some problems when the Ambassador tells us or someone tells us something.

Let me ask you this: Has the Ambassador reported to you that there is no evidence suggesting that the government was involved in the disappearance?

Ms. JACOBS. The Ambassador left post in May. I have not talked to her about this case.

Mr. ROHRABACHER. You have not spoken to the Ambassador about this case?

Ms. JACOBS. No, I have not.

Mr. ROHRABACHER. And did you not know that this was going to be brought up today?

Ms. JACOBS. I was told about it at the last minute.

Mr. ROHRABACHER. So someone in your office just neglected to tell you, and that is why you didn't call up the Ambassador to talk to her about it?

Ms. JACOBS. I did not think that I would be up here testifying about this resolution.

Mr. ROHRABACHER. All right. We didn't bother to ask about it all these months, either? You haven't bothered to ask the Ambassador all of these months about the disappearance of these two people?

Mr. GEJDENSON. If the gentleman would yield, it is not her responsibility. I think part of the confusion here may be that during all the months, any questions probably didn't go to her but went to somebody else.

Mr. ROHRABACHER. OK, that is fair.

Mr. GEJDENSON. She sent in, when we gave her a list of bills——

Mr. ROHRABACHER. If she is here testifying now in order to undermine this effort, that is her job because the State Department——

Mr. GEJDENSON. That may be an unfair characterization.

Mr. ROHRABACHER [continuing]. Does not believe in what this amendment is all about.

I would like to close. My time is coming to an end, and let me just say that we came here with the State Department saying one thing. After three or four questions, they were saying something else totally different. Thank you.

Ms. JACOBS. That is not true.

Chairman GILMAN. Mr. Payne.

Mr. PAYNE. I, too, perhaps would support the resolution if those two whereas clauses were removed.

I haven't heard anything different from the State Department that my colleague has heard—allegations of undermining the effort—and I guess you are accusing the State Department of being confused.

There is some confusion out here. I am not willing to say where I think it is, but I believe that we ought to take a look at the cables. I think that if these whereases, which extend to—when you say a chief response, I don't know what else you can interpret. "Chief" means the most prominent or the main response.

Mr. RADANOVICH. I will agree to take "chief" out, just line "chief" out.

Mr. PAYNE. The gentleman previously suggested if the two whereases were taken out—I think it doesn't change what we are trying to get at, and I would certainly be willing to support your amendment. I would just like to add that to it and hopefully we

can come up with something in a compromising way to achieve the goal you want to achieve.

Chairman GILMAN. Mr. Radanovich.

Mr. RADANOVICH. I would like to ask a question of the State Department official, if I may.

Chairman GILMAN. Ms. Jacobs?

Ms. JACOBS. Yes, sir.

Chairman GILMAN. Without objection.

Mr. RADANOVICH. Ms. Jacobs, I wanted to ask you something, if you could answer me. When an incident like this occurs, where American citizens are abducted and not heard from in any country, and that country's government is perhaps a suspect in that person's or people's disappearance, what is the normal response of the State Department? Is it to conduct the investigation with that government, trying to determine the whereabouts of those people?

Mr. ACKERMAN. Will the gentleman yield?

Mr. RADANOVICH. Yes, but I want an answer.

Mr. ACKERMAN. Just a clarification on your question. Is it clear that they were abducted?

Mr. RADANOVICH. Well, they disappeared.

Mr. ACKERMAN. So did my cat.

Mr. RADANOVICH. It has been told, in fact—I would say this because it has been also alluded to—that they were drug trafficking which, to me, is unsubstantiated; and in as far as that has been said already, it has also been told that Laotian Government officials picked up these people and abducted them.

If that is the case or if it is known, how does the State Department react to something like that? Do they conduct investigations in cooperation with the government that is suspected of abducting or complicit in these disappearances?

Ms. JACOBS. I can't speak to this case because I am not familiar with all the details, but generally we do have to rely on the host government. But obviously Ambassador Chamberlain did not trust them to conduct a fair investigation and that is why she called in the FBI.

If it were Britain, then we would have undoubtedly cooperated with the British police and other British authorities. But in this case, she was fearful that perhaps the Lao Government would not conduct a fair investigation, and she went beyond them and asked the FBI to come in and help investigate. That is not a normal thing.

Mr. RADANOVICH. Right. Can you tell us, with regard to one of the whereases in this perfecting amendment, have the Ly family and the Vang family heard from the U.S. Government regarding the whereabouts or current circumstances of their loved ones?

Ms. JACOBS. I understand the families are briefed weekly.

Mr. RADANOVICH. They have been told nothing.

Ms. JACOBS. There might not be anything to tell, that is the problem. We don't know what happened to them.

Mr. RADANOVICH. I am sorry, I wish the family was here, but that just is not true. They have been told nothing.

Ms. JACOBS. They haven't talked to representatives of the State Department?

Mr. RADANOVICH. They have not been heard from, from the State Department. I yield to Mr. Green on that one, but I think there has been no response on that whatsoever.

Chairman GILMAN. Without objection, the gentleman from Wisconsin, Mr. Green, will be recognized for 5 minutes.

Mr. GREEN. Thank you, Mr. Chairman. Mr. Chairman, given the lateness of the hour and the courtesy you have extended me, I will keep my remarks brief; but to that most important point, that simply is not true. My constituent, one of the two involved, has not been—the family has not been briefed.

In fact, they came all the way out to Washington a month ago because they had not been briefed. They sat in my office with representatives of the FBI and the State Department and both entities pledged to keep my constituents briefed, and they have not done so. It has gotten so bad that in September, we had to take the extraordinary step of filing a Freedom of Information Act request. It was ignored.

Weeks later, we were told that it was being processed. Still 2 months later, we do not have a response. We have not even received, and the family have not even received the declassified information, the declassified—I am not referring to the classified information, but the declassified information. That is true up through today.

The State Department, from our perspective, and from the perspective of our constituents, has not been cooperating with us at all. With respect to the arguing over whether or not this was the chief response for the Ambassador or not, let us understand that when the FBI was brought in, the FBI conducted their investigation with the government of Laos.

So it is fair to say that the chief response has been a joint investigation with Laos. I have not heard the FBI say that that isn't true. The language from which this resolution came is not intended in any way or form to condemn the Ambassador. There is only one reference to the Ambassador in the entire resolution, and that is the chief response language that we are referring to here.

My grave concern from my limited perspective is the fact that my constituents, American citizens, are getting no help. They are not being responded to. They have not been given information. They have been given the runaround. I have not been able to help them. Even when in my office I have received a pledge of support, face to face with these people, we are still not getting the information that we need.

Yes, there is unclear information out there, but I would submit to you that we aren't going to clear it up unless that information is provided to the surviving family members. I hope that the term, "surviving," is accurate.

But I urge you, please, we are heading toward the holidays, these family members deserve, they absolutely deserve cooperation and information from their own State Department. I think the fact that they aren't getting it is reprehensible. They are U.S. citizens, and this is wrong.

That is the impetus behind this resolution and Congressman Radanovich's amendment. I am a cosponsor of the original under-

lying amendment. Congressman Vento is a cosponsor of our resolution as well from which this amendment comes.

So again this is not an effort—and I do respect the sentiments of my friend and colleague Congressman Bereuter—this is not an effort to condemn an Ambassador trying to reform a function. Instead, this is trying to point out the simple reality that the State Department has not cooperated, not come forward in this, and our constituents are still hanging out there with very little to show for all of their efforts.

Chairman GILMAN. Thank you.

Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman. Let me just suggest two things, and I think our friend Mr. Radanovich said it when he was talking about the FBI statement; he said it wasn't substantiated, the reference to these two individuals from the United States as being drug dealers. I think that is the issue: What can we substantiate?

What I would recommend is if we really want to move forward, and I am happy to play a more active role, frankly, than I have today, because a lot of things are before us—I would recommend that we move with Mr. Bereuter's underlying resolution—I guess it is Mr. Vento's resolution to begin with, and move that.

If Mr. Bereuter has some more language that frankly would meet you some of the way, we ought to take that. Then I will personally try to get more information to see if there is substantiation of the charges.

The reason I say that is, in some ways it is very easy for us in Congress to vote almost anything out, but the information that I have at this stage doesn't give me, even for a government that I think does very terrible things and clearly is not democratic—no debate on that—clearly I think we all agree on that, but we don't want to rush forward with a conclusion that we can't substantiate.

If we find after a briefing for Committee Members, the kind of evidence that I think the two of you believe they have, we will work with you to try to take a step forward. I think you will be better off in that process. But obviously you have your prerogatives, and I wouldn't ask you not to do it just on that basis, but I think we will be more effective if we start with the underlying Vento Resolution, with Mr. Bereuter's pushing forward, maybe adopt some of the language that he has offered, trying to reach as far as he feels he is comfortable doing today.

Then I will go—and I am sure Mr. Bereuter joins me—will go, will see—if you can convince us, we will be your strongest advocates here.

Mr. BEREUTER. Mr. Chairman.

Chairman GILMAN. Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman, I would like to try a unanimous consent request.

Chairman GILMAN. Without objection.

Mr. BEREUTER. I believe these two gentlemen and others who have offered this resolution, which in part is being offered here as a substitute, are doing their very best to try to serve their constituents, and appropriately so.

I want to suggest the following. It is a little complicated, but I think if I am careful in giving directions you can understand what I am going to suggest, that we add as part of unanimous consent under a separate section within the underlying Vento Bill.

If you turn to page 3, the last whereas clause, I will pick up that entire clause: "Whereas the Congress will not tolerate any unjustified arrest, abduction, imprisonment, disappearance, or other act of aggression against United States citizens by a foreign government: Now, therefore be it"—and then we would move down to lines 1 through 4 in the first of the clauses, "That the House of Representatives decries the——"

Chairman GILMAN. Would the gentleman yield? What section are you referring to now, and what page?

Mr. BEREUTER. Page 3, moving down to the first clause found on lines 1 through 4.

Chairman GILMAN. Are we now referring to the Vento Bill?

Mr. BEREUTER. We are now referring to the amendment which is under consideration, the substitute offered by Mr. Radanovich.

Chairman GILMAN. The Radanovich Amendment?

Mr. BEREUTER. Yes, sir. Instead of "abduction," it would say "decries the disappearance of Houa Ly and Michael Vang, recognizing it as an incident worthy of congressional attention."

Move to the next page, page 4 of the Radanovich substitute, pick up what was number 4 there, now labeled number 3, on lines 6 through 9 saying, "urges the Lao Government to return Messrs. Ly and Vang, or their remains, to the United States authorities and their families in America at once," if it is determined that they have or are responsible—and pick up then the next subsection, "warns the Lao Government of the serious consequences, including sanctions, of any unjustified arrest, abduction, imprisonment, disappearance or other act of aggression against United States citizens."

Finally, to have a new subsection which says: "Urges the State Department and other U.S. agencies to share the maximum amount of information with interested parties concerning the disappearance of," and we can name these two gentlemen.

I would ask unanimous consent that we accept that as a separate new subsection within the Vento Resolution before us.

Mr. RADANOVICH. I have a question.

Chairman GILMAN. Is there objection?

Mr. RADANOVICH. Not an objection—just a question, if I may, to clarify.

Chairman GILMAN. Are you reserving the right to object?

Mr. RADANOVICH. Yes.

Chairman GILMAN. Mr. Radanovich.

Mr. RADANOVICH. OK. Mr. Bereuter, going back to page 3 at the top, there was mention regarding Ambassador Chamberlain's statement—and the whereas below that, the Ly and Vang families not being able to learn much in the U.S. Government regarding that. In your unanimous consent, were those included or not?

Mr. BEREUTER. I didn't, but I am willing to. That was an oversight on my part. We could accept that.

Mr. RADANOVICH. OK.

Mr. BEREUTER. You are talking about the "Whereas the families of Messrs. Ly and Vang"?

Mr. RADANOVICH. Yes.

Mr. BEREUTER. I am certainly willing to add that to the unanimous consent.

Mr. RADANOVICH. And the one above that regarding the Ambassador?

Mr. BEREUTER. I think that is again criticizing our government inappropriately, and it is not germane.

Mr. RADANOVICH. Being sympathetic to the issues brought about by the Ambassador, I would be willing to strike that portion, then. I agree with you.

Mr. BEREUTER. Thank you.

Chairman GILMAN. Reserving the right to object. Is there any of the page 2 material being included in Mr. Bereuter's proposal?

Mr. BEREUTER. No.

Chairman GILMAN. There is no reference to these people prior to your new paragraphs. I suggest you may want to include the provisions on page 2.

Mr. BEREUTER. I take your point. So the fifth whereas clause, "Whereas two U.S. citizens," then they name them and their location, "were traveling along the border between Laos and Thailand on April 19, 1999," and we go, of course, that the families of these people have learned very little from the U.S. Government concerning the whereabouts and the circumstances of their loved ones, which is Mr. Radanovich's proposal.

So I would add, if the Chairman wishes, the fifth whereas clause on page 2.

Chairman GILMAN. And nothing else on page 2, Mr. Bereuter?

Mr. BEREUTER. I don't think it is necessary.

Chairman GILMAN. Is there any objection to Mr. Bereuter's proposal?

Mr. RADANOVICH. Reserving the right to object. May I ask a question of Mr. Green?

Chairman GILMAN. The gentleman reserves the right to object. The gentleman is recognized.

Mr. RADANOVICH. Thank you, Mr. Chairman.

Mr. Green, you were privy to the classified information. This speaks to the section regarding—it warns that our government, if they were involved—and, the operative word I think is "if"—in the unanimous consent request—you have been privy, Mr. Green, to all of the classified information regarding this incident.

What is your opinion of that?

Mr. GREEN. Well, let me just say this. I would remind—a number of the Committee Members are not aware of the long history involved here regarding the disappearance of these two individuals. There are actually four individuals that traveled together; two who disappeared, and their two friends who had, for lots of quirky reasons, gotten off at the time.

The information provided by the two citizens who came back, which I would consider to be the most reliable information that we have—I am not privy to all the information—certainly suggested that there was Laos Government complicity.

That is—we didn't just leap to a wild conclusion. This is what has been suggested publicly by these individuals, and I am not aware of it having been refuted. That is where the information comes from.

If I can just, very quickly, in terms of all the language that Congressman Bereuter has suggested, if I may suggest, to put some kind of timeframe in here would help, too. I think it is important that this resolution be aimed at least a little bit at our own government, since the biggest problem that these families seem to be having is that our government isn't giving them information.

So I think it is appropriate to at least reference the fact that it is our government which has declassified information which they are not sharing. Not classified, declassified information, sir. If I can make that suggestion—I think of urging them to do it as quickly as practical, or as soon as possible, whatever that may be. I think that would at least offer a little bit of solace to these people.

Chairman GILMAN. Would you set forth your proposal then, Mr. Green?

Mr. GREEN. I don't know if that is appropriate.

Chairman GILMAN. Mr. Radanovich.

Mr. RADANOVICH. No objection. We will keep the language as is suggested in the unanimous consent.

Chairman GILMAN. All right. Then Mr. Bereuter's proposal is now before the Committee.

Are there any objections to Mr. Bereuter's proposal? Mr. Radanovich has made a suggestion, and Mr. Bereuter accepts that change; is that correct, Mr. Bereuter?

Mr. BEREUTER. Yes, I did; that one paragraph that the gentleman proposed to add back, I certainly did accept.

Chairman GILMAN. Without objection, the amendment is agreed to. Are there any further amendments?

If there are no further amendments, the question is now on the Subcommittee recommendation as amended.

As many are in favor, signify by saying aye.

As many are opposed, say no.

The ayes have it, and the Subcommittee recommendation is agreed to.

The gentlemen from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. I thank my colleagues. I move that the Chairman be requested to seek consideration of the pending resolution on the suspension calendar.

Chairman GILMAN. The question as amended.

The question is on the motion of the gentleman from Nebraska.

As many in favor of the motion, signify by saying aye.

Opposed.

The ayes have it and the motion is agreed to.

Further proceedings on this measure are postponed.

The Committee is adjourned. Thank you, gentleman.

[Whereupon, at 7 p.m., the Committee was adjourned.]

A P P E N D I X

NOVEMBER 9, 1999

106th CONGRESS
1st Session

H.R. 3244

To combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking.

IN THE HOUSE OF REPRESENTATIVES

November 8, 1999

Mr. SMITH of New Jersey (for himself, Mr. Gejdenson, Ms. Kaptur, Ms. Slaughter, Mr. Lantos, Ms. McKinney, Mr. King, Mr. Wolf, and Mr. Cooksey) introduced the following bill; which was referred to the Committee on___.

A BILL

To combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE- This Act may be cited as the `Trafficking Victims Protection Act of 1999'.

(b) TABLE OF CONTENTS- The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes and findings.
Sec. 3. Definitions.
Sec. 4. Annual Country Reports on Human Rights Practices.
Sec. 5. Interagency task force to monitor and combat trafficking.
Sec. 6. Prevention of trafficking.
Sec. 7. Protection and assistance for victims of trafficking.
Sec. 8. Minimum standards for the elimination of trafficking.
Sec. 9. Assistance to foreign countries to meet minimum standards.
Sec. 10. Actions against governments failing to meet minimum standards.
Sec. 11. Actions against significant traffickers.
Sec. 12. Strengthening prosecution and punishment of traffickers.
Sec. 13. Authorization of Appropriations.

SEC. 2. PURPOSES AND FINDINGS.

(a) PURPOSES- The purposes of this Act are to combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims.

(b) FINDINGS- The Congress finds that:

(1) Millions of people every year, primarily women or children, are trafficked within or across international borders. Approximately 50,000 women and children are trafficked into the United States each year.

(2) Many of these persons, of whom the overwhelming majority are women and children, are trafficked into the international sex trade, often by means of force, fraud, or coercion. The sex industry has rapidly expanded over the past several decades. It involves sexual exploitation of persons, predominantly women and girls, within activities related to prostitution, pornography, sex tourism, and other commercial sexual services. The rapid expansion of the sex industry and the low status of women in many parts of the world have contributed to a burgeoning of the trafficking industry, of which sex trafficking by force, fraud, and coercion is a major component.

(3) Trafficking in persons is not limited to sex trafficking, but often involves forced labor and other violations of internationally recognized human rights. The worldwide trafficking of persons is a growing transnational crime, migration, economics, labor, public health, and human rights problem that is significant on nearly every continent.

(4) Traffickers primarily target women and girls, who are disproportionately affected by poverty, lack of access to education, chronic unemployment, discrimination, and lack of viable economic opportunities in countries of origin. Traffickers lure women and girls into their networks through false promises of good working conditions at relatively high pay as nannies, maids, dancers, factory workers, restaurant workers, sales clerks, or models. Traffickers also buy girls from poor families and sell them into prostitution or into various types of forced or bonded labor.

(5) Traffickers often facilitate victims' movement from their home communities to unfamiliar destinations, away from family and friends, religious institutions, and other sources of protection and support, making the victims more vulnerable.

(6) Victims are often forced to engage in sex acts or to perform labor or other services through physical violence, including rape and other forms of sexual abuse, torture, starvation, and imprisonment, through threats of violence, and through other forms of psychological abuse and coercion.

(7) Trafficking is perpetrated increasingly by organized and sophisticated criminal enterprises. Trafficking in persons is the fastest growing source of profits for organized criminal enterprises worldwide. Profits from the trafficking industry contribute to the expansion of organized criminal activity in the United States and around the world. Trafficking often is aided by official corruption in countries of origin, transit, and destination, thereby threatening the rule of law.

(8) Traffickers often make representations to their victims that physical harm may occur to them or to others should the victim escape or attempt to escape. Such representations can have the same coercive effects on victims as specific threats to inflict such harm.

(9) Sex trafficking, when it involves the involuntary participation of another person in sex acts by means of fraud, force, or coercion, includes all the elements of the crime of forcible rape, which is defined by all legal systems as among the most serious of all crimes.

(10) Sex trafficking also involves frequent and serious violations of other laws, including labor and immigration codes and laws against kidnapping, slavery, false imprisonment, assault, battery, pandering, fraud, and extortion.

(11) Women and children trafficked into the sex industry are exposed to deadly diseases, including HIV and AIDS. Trafficking victims are sometimes worked or physically brutalized to death.

(12) Trafficking in persons substantially affects interstate and foreign commerce. The United States must take action to eradicate the substantial burdens on commerce that result from trafficking in persons and to prevent the channels of commerce from being used for immoral and injurious purposes.

(13)Trafficking of persons in all its forms is an evil that calls for concerted and vigorous action by countries of origin, transit countries, receiving countries, and international organizations.

(14) Existing legislation and law enforcement in the United States and in other nations around the world have proved inadequate to deter trafficking and to bring traffickers to justice, principally because such legislation and enforcement do not reflect the gravity of the offenses involved. No comprehensive law exists in the United States that penalizes the range of offenses involved in the trafficking scheme. Instead, even the most brutal instances of forcible sex trafficking are often punished under laws that also apply to far less serious offenses such as consensual sexual activity and illegal immigration, so that traffickers typically escape severe punishment.

(15) In the United States, the seriousness of the crime of trafficking in persons is not reflected in current sentencing guidelines for component crimes of the trafficking scheme, which results in weak penalties for convicted traffickers. Adequate services and facilities do not exist to meet the health care, housing, education, and legal assistance needs for the safe reintegration of domestic trafficking victims.

(16) In some countries, enforcement against traffickers is also hindered by official indifference, by corruption, and sometimes even by active official participation in trafficking.

(17) Because existing laws and law enforcement procedures often fail to make clear distinctions between victims of trafficking and persons who have knowingly and wilfully violated laws, and because victims often do not have legal immigration status in the countries into which they are trafficked, the victims are often punished more harshly than the traffickers themselves.

(18) Because victims of trafficking are frequently unfamiliar with the laws, cultures, and languages of the countries into which they have been trafficked, and because they are often subjected to coercion and intimidation including physical detention, debt bondage, fear of retribution, and fear of forcible removal to countries in which they will face retribution or other hardship, these victims often find it difficult or impossible to report the crimes committed against them or to assist in the investigation and prosecution of such crimes.

(19) The United States and the international community are in agreement that trafficking in persons often involves grave violations of

human rights and is a matter of pressing international concern. The Universal Declaration of Human Rights; the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and other relevant instruments condemn slavery and involuntary servitude, violence against women, and other components of the trafficking scheme.

(20) The Universal Declaration of Human Rights recognizes the right to be free from slavery and involuntary servitude, arbitrary detention, degrading or inhuman treatment, and arbitrary interference with privacy or the family, as well as the right to protection by law against these abuses.

(21) The United Nations General Assembly has passed three resolutions during the last three years (50/167, 51/66, and 52/98) recognizing that the international traffic in women and girls, particularly for purposes of forced prostitution, is a matter of pressing international concern involving numerous violations of fundamental human rights. The resolutions call upon governments of receiving countries as well as countries of origin to strengthen their laws against such practices, to intensify their efforts to enforce such laws, and to ensure the full protection, treatment, and rehabilitation of women and children who are victims of trafficking.

(22) The Final Report of the World Congress against Sexual Exploitation of Children, held in Stockholm, Sweden in August 1996, recognized that international sex trafficking is a principal cause of increased exploitation and degradation of children.

(23) The Fourth World Conference on Women (Beijing Conference) called on all governments to take measures, including legislative measures, to provide better protection of the rights of women and girls who are victims of trafficking, to address the root factors that put women and girls at risk to traffickers, and to take measures to dismantle the national, regional, and international networks on trafficking.

(24) In the 1991 Moscow Document of the Organization for Security and Co-operation in Europe, participating states including the United States agreed to "seek to eliminate all forms of violence against women, and all forms of traffic in women and exploitation of prostitution of women including by ensuring adequate legal prohibitions against such acts and other appropriate measures."

(25) Numerous treaties to which the United States is a party address government obligations to combat trafficking, including such treaties as the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, which calls for the complete abolition of debt bondage and servile forms of marriage, and the 1957 Abolition of Forced Labor Convention, which undertakes to suppress and requires signatories not to make use of any forced or compulsory labor.

(26) Trafficking in persons is a transnational crime with national implications. In order to deter international trafficking and to bring its perpetrators to justice, nations including the United States must recognize that trafficking is a serious offense and must act on this recognition by prescribing appropriate punishment, by giving the highest priority to investigation and prosecution of trafficking offenses, and by protecting rather than punishing the victims of such offenses. The United States must work bilaterally and multilaterally to abolish the trafficking industry and take steps to promote and facilitate cooperation among countries linked together by international trafficking routes. The United States must also urge the international community to take strong action in multilateral fora to engage recalcitrant countries in serious and sustained efforts to eliminate trafficking and protect trafficking victims.

SEC. 3. DEFINITIONS.

For the purposes of this Act:

(1) "Sex trafficking" means the purchase, sale, recruitment, harboring, transportation, transfer or receipt of a person for the purpose of a commercial sex act.

(2) "Severe forms of trafficking in persons" means--

(a) sex trafficking in which either a commercial sex act or any act or event contributing to such act is effected or induced by force, coercion, fraud, or deception, or in which the person induced to perform such act has not attained the age of 18 years. and

(b) the purchase, sale, recruitment, harboring, transportation, transfer or receipt of a person for the purpose of subjection to involuntary servitude, peonage, or slavery or slavery-like practices which is effected by force, coercion, fraud, or deception.

(3) "Slavery-like practices" means inducement of a person to perform labor or other services by force, by coercion, or by any scheme, plan, or pattern to cause the person to believe that failure to perform the work will result in the infliction of serious harm, debt bondage in which labor or services are pledged for debt on terms calculated never to allow full payment of the debt or otherwise amounting to indentured servitude for life or for an indefinite period, or subjection of the person to conditions so harsh or degrading as to provide a clear indication that the person has been subjected to them by force, fraud, or coercion.

(4) "Coercion" means the use of force, violence, physical restraint, or acts or circumstances not necessarily including physical force but calculated to have the same effect, such as the credible threat of force or of the infliction of serious harm.

(5) "Act of a severe form of trafficking in persons" means any act at any point in the process of a severe form of trafficking in persons, including any act of recruitment, harboring, transport, transfer, purchase, sale or receipt of a victim of such trafficking, or any act of operation, management, or ownership of an enterprise in which a victim of such trafficking engages in a commercial sex act, is subjected to slavery or a slavery-like practice, or is expected or

induced to engage in such acts or be subjected to such condition or practice, or sharing in the profits of the process of a severe form of trafficking in persons or any part thereof.

(6) "Victim of sex trafficking" and "victim of a severe form of trafficking in persons" mean a person subjected to an act or practice described in paragraphs (1) and (2) respectively.

(7) "Commercial sex act" means a sex act on account of which anything of value is given to or received by any person.

(8) "Minimum standards for the elimination of trafficking" means the standards set forth in section 8.

(9) "Appropriate congressional committees" means the Committee on Foreign Relations of the United States Senate and the Committee on International Relations of the United States House of Representatives.

(10) "Nonhumanitarian foreign assistance" means--

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than--

(i) assistance under chapter 8 of part I of that Act;

(ii) any other narcotics-related assistance under part I of that Act or under chapter 4 or 5 of part II of that Act, but any such assistance provided under this clause shall be subject to the prior notification procedures applicable to reprogrammings pursuant to section 634A of that Act;

(iii) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(iv) antiterrorism assistance under chapter 8 of part II of that Act;

(v) assistance which involves the provision of food (including monetization of food) or medicine;

(vi) assistance for refugees; and

(vii) humanitarian and other development assistance in support of programs of nongovernmental organizations under chapters 1 and 10 of that Act;

(B) sales, or financing on any terms, under the Arms Export Control Act, other than sales or financing provided for narcotics-related purposes following notification in accordance with the prior notification procedures applicable to reprogrammings pursuant to section 634A of the Foreign Assistance Act of 1961; and

(C) financing under the Export-Import Bank Act of 1945.

SEC. 4. ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.

The Secretary of State, with the assistance of the Assistant Secretary of Democracy, Human Rights and Labor, shall, as part of the annual Country Reports on Human Rights Practices, include information to address the status of trafficking in persons, including--

(1) a list of foreign countries that are countries of origin, transit, or destination for a significant number of victims of severe forms of trafficking;

(2) a description of the nature and extent of severe forms of trafficking in persons in each country;

(3) an assessment of the efforts by the governments described in paragraph (1) to combat severe forms of trafficking. Such an assessment shall address--

(A) whether any governmental authorities tolerate or are involved in such trafficking;

(B) which governmental authorities are involved in activities to combat such trafficking;

(C) what steps the government has taken against its officials who participate in, facilitate, or condone such trafficking;

(D) what steps the government has taken to investigate and prosecute officials who participate in or facilitate such trafficking;

(E) what steps the government has taken to prohibit other individuals from participating in such trafficking, including the investigation, prosecution, and conviction of individuals involved in severe forms of trafficking in persons, the criminal and civil penalties for such trafficking, and the efficacy of those penalties in eliminating or reducing such trafficking;

(F) what steps the government has taken to assist victims of such trafficking, including efforts to prevent victims from being further victimized by traffickers, government officials, or others, grants of stays of

deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter;

(G) whether the government--

(i) is cooperating with governments of other countries to extradite traffickers when requested;

(ii) is assisting in international investigations of transnational trafficking networks and in other co-operative efforts to combat trafficking;

(iii) refrains from prosecuting victims of severe forms of trafficking and from other discriminatory treatment of such victims due to such victims having been trafficked, or due to their having left or entered the country illegally; and

(iv) recognizes the rights of victims and ensures their access to justice.

(4) Information described in paragraph (2) and, where appropriate, in paragraph (3) shall be included in the annual Country Reports on Human Rights Practices on a country-by-country basis.

(5) In addition to the information described in this section, the Annual Country Reports on Human Rights Practices may contain such other information relating to trafficking in persons as the Secretary determines to be appropriate.

SEC. 5. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

(a) ESTABLISHMENT- The President shall establish an Interagency Task Force to Monitor and Combat Trafficking (in this section referred to as the `Task Force').

(b) APPOINTMENT- The President shall appoint the members of the Task Force, which shall include the Secretary of State, the Director of the Agency for International Development, the Attorney General, the Secretary of Labor, the Secretary of Health and Human Services, the Director of the Central Intelligence Agency, and such other officials as may be designated by the President.

(c) CHAIRMAN- The Task Force shall be chaired by the Secretary of State.

(d) SUPPORT FOR THE TASK FORCE- The Secretary of State is authorized to establish within the Department of State an Office to Monitor and Combat Trafficking, which shall provide assistance to the Task Force. Any such Office shall be administered by a Director. The Director shall have the primary responsibility for assisting the Secretary of State in carrying out the purposes of this Act and may have additional responsibilities as determined by the Secretary. The Director shall consult with domestic, international nongovernmental and intergovernmental organizations, and with trafficking victims or other affected persons. The Director shall have the authority to take evidence in public hearings or by other means. The Office is authorized to retain staff members from agencies represented on the Task Force.

(e) ACTIVITIES OF THE TASK FORCE- In consultation with nongovernmental organizations, the Task Force shall carry out the following activities:

(1) Coordinate the implementation of this Act.

(2) Measure and evaluate progress of the United States and countries around the world in the areas of trafficking prevention, protection and assistance to victims of trafficking, and prosecution and enforcement against traffickers, including the role of public corruption in facilitating trafficking.

(3) Expand interagency procedures to collect and organize data, including significant research and resource information on domestic and international trafficking. Any data collection procedures established under this subsection shall respect the confidentiality of victims of trafficking.

(4) Engage in efforts to facilitate cooperation among countries of origin, transit and destination. Such efforts shall aim to strengthen local and regional capacities to prevent trafficking, prosecute traffickers and assist trafficking victims, and shall include initiatives to enhance cooperative efforts between destination countries and countries of origin and assist in the appropriate reintegration of stateless victims of trafficking.

(5) Examine the role of the international "sex tourism" industry in the trafficking of women and children and in the sexual exploitation of women and children around the world and make recommendations on appropriate measures to combat this industry.

SEC. 6. PREVENTION OF TRAFFICKING.

(a) ECONOMIC ALTERNATIVES TO PREVENT AND DETER TRAFFICKING- The President, acting through the Administrator of the United States Agency for International Development and the heads of other

appropriate agencies, shall establish and carry out initiatives to enhance economic opportunity for potential victims of trafficking as a method to deter trafficking. Such initiatives may include--

(1) microcredit lending programs, training in business development, skills training, and job counseling;

(2) programs to promote women's participation in economic decision making;

(3) programs to keep children, especially girls, in elementary and secondary schools;

(4) development of educational curricula regarding the dangers of trafficking; and

(5) grants to nongovernmental organizations to accelerate and advance the political, economic, social, and educational roles and capacities of women in their countries.

(b) PUBLIC AWARENESS AND INFORMATION- The President, acting through the Secretary of Labor, the Secretary of Health and Human Services, the Attorney General, and the Secretary of State, shall establish and carry out programs to increase public awareness, particularly among potential victims of trafficking, of the dangers of trafficking and the protections that are available for victims of trafficking.

(c) CONSULTATION REQUIREMENT- The President shall consult with appropriate nongovernmental organizations with respect to the establishment and conduct of initiatives described in subsection (a).

SEC. 7. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES-

(1) IN GENERAL- The Secretary of State and the Administrator of the United States Agency for International Development, in consultation with appropriate nongovernmental organizations, shall establish and carry out programs and initiatives in foreign countries to assist in the safe integration, reintegration, or resettlement, as appropriate, of victims of trafficking and their children. Such programs and initiatives shall be designed to meet the mental and physical health, housing, legal, and other assistance needs of such victims and their children, as identified by the Inter-Agency Task Force to Monitor and Combat Trafficking established under section 4.

(2) ADDITIONAL REQUIREMENT- In establishing and conducting programs and initiatives described in paragraph (1), the Secretary of State and the Administrator of the United States Agency for International Development shall take all appropriate steps to enhance cooperative efforts among foreign countries, including countries of origin of victims of trafficking, to assist in the integration, reintegration, or resettlement, as appropriate, of victims of trafficking including stateless victims.

(b) VICTIMS IN THE UNITED STATES-

(1) ASSISTANCE- Subject to the availability of appropriations and notwithstanding title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Attorney General, the Secretary of Health and Human Services, the Secretary of Labor, and the Board of Directors of the Legal Services Corporation shall expand existing services to provide assistance to victims of severe forms of

trafficking in persons within the United States, without regard to the immigration status of such victims.

(2) BENEFITS- Subject to the availability of appropriations and notwithstanding any other provision of law, victims of severe forms of trafficking in persons in the United States shall be eligible, without regard to their immigration status, for any benefits that are otherwise available under the Crime Victims Fund, established under the Victims of Crime Act of 1984, including victims' services, compensation, and assistance.

(3) GRANTS-

(A) Subject to the availability of appropriations, the Attorney General may make grants to States, territories, and possessions of the United States (including the Commonwealths of Puerto Rico and the Northern Mariana Islands), Indian tribes, units of local government, and nonprofit, nongovernmental victims' service organizations to develop, expand, or strengthen victim service programs for victims of trafficking.

(B) To receive a grant under this paragraph, an eligible unit of government or organization shall certify that its laws, policies, and practices, as appropriate, do not punish or deny services to victims of severe forms of trafficking in persons on account of the nature of their employment or services performed in connection with such trafficking.

(C) Of amounts made available for grants under this paragraph, there shall be set aside 3 percent for research, evaluation and statistics; 2 percent for training and technical assistance; and 1 percent for management and administration.

(D) The Federal share of a grant made under this paragraph may not exceed 75 percent of the total costs of the projects described in the application submitted.

(4) CIVIL ACTION- An individual who is a victim of a violation of section 1589 or section 1589A of title 18, United States Code, regarding trafficking may bring a civil action in United States district court. The court may award actual damages, punitive damages, reasonable attorneys' fees, and other litigation costs reasonably incurred.

(c) TRAFFICKING VICTIM REGULATIONS- Not later than 180 days after the date of enactment of this Act, the Attorney General and the Secretary of State shall promulgate regulations for law enforcement personnel, immigration officials, and Department of State officials to implement the following:

(1) Victims of severe forms of trafficking, while in the custody or control of the Federal Government and to the extent practicable, shall be housed in appropriate shelter as quickly as possible; receive prompt medical care, food, and other assistance; and be provided protection if a victim's safety is at risk or if there is danger of additional harm by recapture of the victim by a trafficker.

(2) Victims of severe forms of trafficking shall not be jailed, fined, or otherwise penalized due to having been trafficked;

(3) Victims of severe forms of trafficking shall have access to legal assistance, information about their rights, and translation services.

(4) Federal law enforcement officials shall act to ensure an alien individual's continued presence in the United States, if after an assessment, it is determined that such individual is a victim of trafficking or a material witness, in order to effectuate prosecution of those responsible and to further the humanitarian interests of the United States, and such officials in investigating and prosecuting traffickers shall take into consideration the safety and integrity of trafficking victims.

(5) Appropriate personnel of the Department of State and the Department of Justice are trained in identifying victims of severe forms of trafficking and providing for the protection of such victims. Training under this paragraph should include methods for achieving antitrafficking objectives through the nondiscriminatory application of immigration and other related laws.

(d) CONSTRUCTION- Nothing in subsection (c) shall be construed as creating any private cause of action against the United States or its offices or employees.

(e) FUNDING- Funds from asset forfeiture under section 1592 of title 18, United States Code, are authorized to be available in equal amounts for the purposes of subsections (a) and (b) and shall remain available for obligation until expended.

(f) PROTECTION FROM REMOVAL FOR CERTAIN VICTIMS OF TRAFFICKING.

(1) NONIMMIGRANT CLASSIFICATION FOR CERTAIN VICTIMS OF TRAFFICKING- Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended--

(a) by striking `or' at the end of subparagraph (R);

(b) by striking the period at the end of subparagraph (S) and inserting `; or'; and

(c) by adding at the end the following new subparagraph:

`(T) an alien who the Attorney General determines--

`(i) is physically present in the United States or at a port of entry thereto;

`(ii) is or has been a victim of a severe form of trafficking in persons as defined in section 3 of the Trafficking Victims Protection Act of 1999;

`(iii)(I) has not unreasonably refused to assist in the investigation or prosecution of acts of trafficking; or (II) has not attained the age of 14 years; and

`(iv) would face a significant possibility of retribution or other hardship if removed from the United States,

and, if the Attorney General considers it to be appropriate, the spouse, married and unmarried sons and daughters, and parents of an alien described in this subparagraph if accompanying, or following to join, the alien, except that no person shall be eligible for admission to the United States under this

subparagraph if there is substantial reason to believe that the person has committed an act of a severe form of trafficking in persons as defined in section 3 of the Trafficking Victims Protection Act of 1999.'.

(2) WAIVER OF GROUNDS FOR INELIGIBILITY FOR ADMISSION- Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended by adding at the end the following new paragraph:

`(13) The Attorney General shall determine whether a ground for inadmissibility exists with respect to a nonimmigrant described in section 101(a)(15)(T). The Attorney General, in the Attorney General's discretion, may waive the application of subsection (a) (other than paragraph (3)(E)) in the case of a nonimmigrant described in section 101(a)(15)(T), if the Attorney General considers it to be in the national interest to do so. Nothing in this section shall be regarded as prohibiting the Immigration and Naturalization Service from instituting removal proceedings against an alien admitted as a nonimmigrant under section 101(a)(15)(T) for conduct committed after the alien's admission into the United States, or for conduct or a condition that was not disclosed to the Attorney General prior to the alien's admission as a nonimmigrant under section 101(a)(15)(T).'.

(3) ADJUSTMENT TO PERMANENT RESIDENT STATUS- Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by adding at the end the following new subsection:

`(l)(1) If, in the opinion of the Attorney General, a nonimmigrant admitted into the United States under section 101(a)(15)(T)--

`(A) has been physically present in the United States for a continuous period of at least 3 years since the date of admission as a nonimmigrant under section 101(a)(15)(T);

`(B) has, throughout such period, been a person of good moral character;

`(C) has not, during such period, unreasonably refused to provide assistance in the investigation or prosecution of acts of trafficking; and

`(D) would face a significant possibility of retribution or other hardship if removed from the United States,

the Attorney General may adjust the status of the alien (and the spouse, married and unmarried sons and daughters, and parents of the alien if admitted under that section) to that of an alien lawfully admitted for permanent residence if the alien is not described in section 212(a)(3)(E)

`(2) An alien shall be considered to have failed to maintain continuous physical presence in the United States under paragraph (1)(A) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.'.

SEC. 8. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

(a) MINIMUM STANDARDS- Minimum standards for the elimination of trafficking for a country that is a country of origin, of transit, or of destination for a significant number of victims are as follows:

(1) The country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.

(2) For the knowing commission of any act of sex trafficking involving fraud, force, or coercion or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the country should prescribe punishment commensurate with that for the most serious crimes, such as forcible sexual assault.

(3) For the knowing commission of any act of a severe form of trafficking in persons, the country should prescribe punishment which is sufficiently stringent to deter and which adequately reflects the heinous nature of the offense.

(4) The country should make serious and sustained efforts to eliminate severe forms of trafficking in persons

(b) CRITERIA- In determinations under subsection (a)(3) the following factors should be considered:

(1) Whether the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons that take place wholly or partly within the territory of the country.

(2) Whether the country cooperates with other countries in the investigation and prosecution of severe forms of trafficking in persons.

(3) Whether the country extradites persons charged with acts of severe forms of trafficking in persons on the same terms and to the same extent as persons charged with other serious crimes.

(4) Whether the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner which is consistent with the vigorous investigation and prosecution of acts of such trafficking, as well as with the protection of victims and the internationally recognized human right to travel.

(5) Whether the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including provision for legal alternatives to their removal to countries in which they would face retribution or other hardship.

(6) Whether the country vigorously investigates and prosecutes public officials who participate in or facilitate severe forms of trafficking in persons, and takes all appropriate measures against officials who condone such trafficking.

SEC. 9. ASSISTANCE TO FOREIGN COUNTRIES TO MEET MINIMUM STANDARDS.

The Secretary of State and the Director of the Agency for International Development are authorized to provide assistance to foreign countries for programs and activities designed to meet the minimum international standards for the elimination of trafficking, including drafting of legislation to prohibit and punish acts of trafficking, investigation and prosecution of

traffickers, and facilities, programs, and activities for the protection of victims.

SEC. 10. ACTIONS AGAINST GOVERNMENTS FAILING TO MEET MINIMUM STANDARDS.

(a) STATEMENT OF POLICY- It is the policy of the United States not to provide nonhumanitarian foreign assistance to countries which do not meet minimum standards for the elimination of trafficking.

(b) REPORTS TO CONGRESS-

(1) ANNUAL REPORT- Not later than April 30 of each year, the Secretary of State shall submit to the appropriate congressional committees a report with respect to the status of severe forms of trafficking in persons which shall include a list of those countries, if any, to which the minimum standards for the elimination of trafficking under section 8 are applicable and which do not meet such standards, and which may include additional information, including information about efforts to combat trafficking and about countries which have taken appropriate actions to combat trafficking.

(2) INTERIM REPORTS- The Secretary of State may submit to the appropriate congressional committees in addition to the annual report under subsection (b) one or more interim reports with respect to the status of severe forms of trafficking in persons, including information about countries whose governments have come into or out of compliance with the minimum standards for the elimination of trafficking since the transmission of the last annual report.

(c) NOTIFICATION- For fiscal year 2002 and each subsequent fiscal year, for each foreign country to which the minimum standards for the

elimination of trafficking are applicable and which has failed to meet such standards, as described in an annual or interim report under subsection (b), not less than 45 days and not more than 90 days after the submission of such a report the President shall submit a notification to the appropriate congressional committees of one of the determinations described in subsection (d).

(d) DETERMINATIONS- The determinations referred to in subsection (c) are as follows:

(1) WITHHOLDING OF NONHUMANITARIAN ASSISTANCE- The President has determined that--

(A)(i) the United States will not provide nonhumanitarian foreign assistance to the government of the country for the subsequent fiscal year until such government complies with the minimum standards; or

(ii) in the case of a country whose government received no nonhumanitarian foreign assistance from the United States during the previous fiscal year, the United States will not provide funding for participation by officials or employees of such governments in educational and cultural exchange programs for the subsequent fiscal year until such government complies with the minimum standards; and

(B) the President will instruct the United States Executive Director of each multilateral development bank and of the International Monetary Fund to vote against, and to use his or her best efforts to deny, any loan or other utilization of the funds of his or her institution to that country (other than for humanitarian

assistance, or for development assistance which directly addresses basic human needs, is not administered by the government of the sanctioned country, and confers no benefit to that country) for the subsequent fiscal year until such government complies with the minimum standards.

(2) SUBSEQUENT COMPLIANCE- The Secretary of State has determined that the country has come into compliance with the minimum standards.

(3) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST- Notwithstanding the failure of the country to comply with minimum standards for the elimination of trafficking, the President has determined that the provision of nonhumanitarian foreign assistance to the country is in the national interest of the United States.

(e) CERTIFICATION- Together with any notification under subsection (c), the President shall provide a certification by the Secretary of State that with respect to assistance described in clause (i), (ii), or (iv) of subparagraph 3(10)(A) or in subparagraph 3(10)(B), no assistance is intended to be received or used by any agency or official who has participated in, facilitated, or condoned a severe form of trafficking in persons.

SEC. 11. ACTIONS AGAINST SIGNIFICANT TRAFFICKERS IN PERSONS.

(a) AUTHORITY TO SANCTION SIGNIFICANT TRAFFICKERS IN PERSONS-

(1) IN GENERAL- The President may exercise IEEPA authorities (other than authorities relating to importation) without regard to section 202 of the International Emergency Economic Powers Act (50

U.S.C. 1705) in the case of any foreign person who is on the list described in subsection (b).

(2) PENALTIES- The penalties set forth in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) apply to violations of any license, order, or regulation issued under this clause (i).

(3) IEEPA AUTHORITIES- For purposes of clause (i), the term `IEEPA authorities' means the authorities set forth in section 203(a) of the International Emergency Economic Powers Act (50 U.S.C. 1702(a)).

(b) LIST OF TRAFFICKERS OF PERSONS-

(1) COMPILING LIST OF TRAFFICKERS IN PERSONS.–The Secretary of State is authorized to compile a list of the following persons:

(A) any foreign person that plays a significant role in a severe form of trafficking in persons, directly or indirectly in the United States or any of its territories or possessions;

(B) foreign persons who materially assist in, or provide financial or technological support for or to, or providing goods or services in support of, activities of a significant foreign trafficker in persons identified pursuant to subparagraph (A); and

(C) foreign persons that are owned, controlled, or directed by, or acting for or on behalf of, a significant foreign trafficker so identified pursuant to subparagraph (A).

(2) REVISIONS TO LIST- The Secretary of State shall make additions or deletions to any list published under paragraph (1) on an ongoing basis based on the latest information available.

(3) CONSULTATION- The Secretary of State shall consult with the following officers in carrying out paragraphs (1) and (2).

(A) the Attorney General;

(B) the Director of Central Intelligence;

(C) the Director of the Federal Bureau of Investigation;

(D) the Secretary of Labor; and

(E) the Secretary of Health and Human Services.

(4) PUBLICATION OF LIST.–Upon compiling the list referred to in paragraph (1) and within 30 days of any revisions to such list, the Secretary of State shall submit the list or revisions to such list to the Committees on the International Relations and Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives; and to the Committees on the Foreign Relations and the Select Committee on Intelligence of the Senate; and publish the list or revisions to such list in the Federal Register:

(c) REPORT TO CONGRESS ON IDENTIFICATION AND SANCTIONING OF SIGNIFICANT TRAFFICKERS IN PERSONS. Upon exercising the authority of subsection (a), the President shall report to the Committees on the International Relations and Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives; and to the Committees on the Foreign Relations and the Select Committee on Intelligence of the Senate--

(1) identifying publicly the foreign persons that the President determines are appropriate for sanctions pursuant to this section; and

(2) detailing publicly the sanctions imposed pursuant to this section.

(d) EXCLUSION OF CERTAIN INFORMATION-

(1) INTELLIGENCE- Notwithstanding any other provision of this section, the list and report described in subsections (b) and (c) shall not disclose the identity of any person, if the Director of Central Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT- Notwithstanding any other provision of this section, the list and report described in subsections (b) and (c) shall not disclose the name of any person if the Attorney General, in coordination as appropriate with the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, and the Secretary of the Treasury, determines that such disclosure could reasonably be expected to--

(A) compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis;

(B) jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) endanger the life or physical safety of any person; or

(D) cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED-

(A) Whenever either the Director of Central Intelligence or the Attorney General makes a determination under this subsection, the Director of Central Intelligence or the Attorney General shall notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and explain the reasons for such determination.

(B) The notification required under this paragraph shall be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate not later than July 1, 2000, and on an annual basis thereafter.

(d) LAW ENFORCEMENT AND INTELLIGENCE ACTIVITIES NOT AFFECTED- Nothing in this section prohibits or otherwise limits the authorized law enforcement or intelligence activities of the United States, or the law enforcement activities of any State or subdivision thereof.

(e) EXCLUSION OF PERSONS WHO HAVE BENEFITTED FROM ILLICIT ACTIVITIES OF TRAFFICKERS IN PERSONS.--Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by inserting the following new subparagraph at the end:

`(H) SIGNIFICANT TRAFFICKERS IN PERSONS- Any alien who—

`(i) is on the most recent list of significant traffickers provided in section 10 of the Trafficking Victims Protection Act of 1999, or who the consular officer or the Attorney General knows or has reason to believe is or has been a knowing aider, abettor, assister, conspirator, or colluder with such a trafficker in

severe forms of trafficking in persons as defined in the section 3 of such Act; or

`(ii) who the consular officer or the Attorney General knows or has reason to believe is the spouse, son, or daughter of an alien inadmissible under clause (i), has, within the previous 5 years, obtained any financial or other benefit from the illicit activity of that alien, and knew or reasonably should have known that the financial or other benefit was the product of such illicit activity, is inadmissible.'.

(f) IMPLEMENTATION.–The Secretary of State, the Attorney General, and the Secretary of Treasury are authorized to take such actions as may be necessary to carry out this section, including promulgating rules and regulations permitted under this Act.

(g) DEFINITION OF FOREIGN PERSON.--As used in this section, the term `foreign person' means any citizen or national of a foreign state or any entity not organized under the laws of the United States, including a foreign government official, but does not include a foreign state.

SEC. 12. STRENGTHENING PROSECUTION AND PUNISHMENT OF TRAFFICKERS.

(a) TITLE 18 AMENDMENTS- Chapter 77 of title 18, United States Code, is amended--

(1) in each of sections 1581(a), 1583, and 1584--

(A) by striking `10 years' and inserting `20 years'

(B) by adding at the end the following: `If, in addition to the foregoing elements, death results from a violation of this section, or if such violation includes kidnaping or an attempt to kidnap,

aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.';

(2) by inserting at the end the following:

`Sec. 1589. Trafficking into involuntary servitude, peonage, or slavery-like conditions.

`(a) Whoever recruits, harbors, provides, transports, employs, purchases, sells, or secures, by any means, any person, knowing or having reason to know that the person is or will be subjected to involuntary servitude or peonage or to slavery-like conditions as described in subsection (b) of this section, or in any way, financially or otherwise, knowingly benefits from, or makes use of, the labor or services of a person subjected to a condition of involuntary servitude or peonage, shall be fined under this title or imprisoned not more than 20 years, or both; and if, in addition to the foregoing elements, death results from an act committed in violation of this section, or if such act includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title or imprisoned for any term of years or life, or both.

`(b) As used in this section, the term `slavery-like conditions' means that the labor or services of a person are obtained or maintained through any scheme or artifice to

defraud, or by means of any plan or pattern, including but not limited to false and fraudulent pretenses and misrepresentations, such that the person reasonably believes that if he did not perform the labor or services serious harm would be inflicted on himself or on another person.

`(c) This section does not apply to labor performed as a punishment for a crime whereof the party shall have been duly convicted.

`Sec. 1589A. Sex trafficking of children or by force, fraud, or coercion.

`(a) IN GENERAL- Whoever---

`(1) recruits, entices, harbors, purchases, sells, transports, or transfers a person, or

`(2) owns, manages, operates, or shares in the proceeds of an enterprise in which a person has been recruited, enticed, harbored, purchased, sold, transported, or transferred,

knowing or having reason to know that the person will be caused by force, fraud, or coercion to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused or expected to engage in a commercial sexual act, shall be punished as provided in subsection (b).

`(b) PUNISHMENT- The punishment for an offense under subsection (a) is--

`(1) if the offense was effected by fraud, force, or coercion, or if the person transported had not attained the age of 14 years at the time of such offense, by a fine under this title or imprisonment for any term of years or for life, or both; or

`(2) if the offense was not effected by fraud, force, or coercion, and the person transported had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title or imprisonment for not more than 20 years, or both.

`(c) DEFINITION OF COMMERCIAL SEXUAL ACT- In this section, the term `commercial sexual act' means any sexual act, on account of which anything of value is given to or received by any person, and--

`(1) which takes place in the United States;

`(2) which affects United States foreign commerce; or

`(3) in which either the person caused or expected to participate in the act or the person committing the violation is a United States citizen or an alien admitted for permanent residence in the United States.'

'**Sec. 1590. unlawful possession of documents in furtherance of trafficking, involuntary servitude, or peonage**

`(a) Whoever destroys, conceals, removes, confiscates, or possesses any identification, passport, or other immigration documents, or any other documentation of another person--

`(1) in the course of, or under circumstances which facilitate a violation of section 1581, 1583, 1584, 1589, or 1589A or a conspiracy or attempt to commit such a violation; or

`(2) to conceal or impair the investigation or prosecution of a violation of any section described in paragraph (1); or

'(3) to prevent or restrict, without lawful authority, the person's liberty to move or travel in interstate or foreign commerce,

shall be fined under this title or imprisoned for not more than 5 years, or both.

`**Sec. 1591. Mandatory restitution**

`(a) Notwithstanding sections 3663 or 3663A, and in addition to any other civil or criminal penalties authorized by law, the court shall order restitution for any offense under this chapter.

`(b)(1) The order of restitution under this section shall direct the defendant to pay the victim (through the

appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3) of this subsection.

`(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

`(3) As used in this subsection, the term `full amount of the victim's losses' has the same meaning as provided in section 2259(b)(3) and shall in addition include the greater of the gross income or value to the defendant of the victim's services or labor or the value of the victim's labor as guaranteed under the minimum wage and overtime guarantees of the Fair Labor Standards Act (29 U.S.C. 201, et seq.).

`(c) As used in this section, the term `victim' means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim's estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.

Sec. 1592. General provisions

`(a) In a prosecution under sections 1581, 1583, 1584, or 1589, a condition of involuntary servitude or peonage

may be established by proof that the defendant obtained or maintained the labor or service of any person--

`(1) by the use, or threatened use, of force, violence, physical restraint, or physical injury, or by extortion or the abuse or threatened abuse of law or the legal process;

`(2) through representations made to any person that physical harm may occur to that person, or to another, in an effort to wrongfully obtain or maintain the labor or services of that person; or

`(3) by the use of fraud, deceit, or misrepresentation toward any person in an effort to wrongfully obtain or maintain the labor or services of that person, where the person is a minor, one who is mentally disabled, or one who is otherwise particularly susceptible to coercion.

`(b) An attempt or conspiracy to violate sections 1581, 1583, 1584, 1589, or 1589A shall be punishable in the same manner as a completed violation of each of these sections, respectively.

`(c)(1) The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States--

`(A) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

`(B) any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such violation.

`(2) The criminal forfeiture of property under this subsection, any seizure and disposition thereof, and any administrative or judicial proceeding in relation thereto, shall be governed by the provisions of section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), except subsection (d) of that section.

`(d)(1) The following shall be subject to forfeiture to the United States and no property right shall exist in them--

`(A) any property, real or personal, used or intended to be used to commit or to facilitate the commission of any violation of this chapter; and

`(B) any property, real or personal, which constitutes or is derived from proceeds traceable to any violation of this chapter.

`(2) The provisions of chapter 46 of this title relating to civil forfeitures shall extend to any seizure or civil forfeiture under this subsection.

`(f) WITNESS PROTECTION- Any violation of this chapter shall be considered an organized criminal activity or other serious offense for the purposes of application of chapter 224 (relating to witness protection).'; and

(3) by amending the table of sections at the beginning of chapter 77 by adding at the end the following new items:

`1589. Trafficking into involuntary servitude, peonage, or slavery-like conditions.

`1589A. Sex trafficking of children or by force, fraud, or coercion.

`1590. Unlawful possession of documents in furtherance of trafficking involuntary servitude, or peonage.

`1591. Mandatory restitution.

`1592. General provisions.'.

(b) AMENDMENT TO THE SENTENCING GUIDELINES-

(1) Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend the sentencing guidelines and policy statements applicable to persons convicted of offenses involving the trafficking of persons including component or related crimes of peonage, involuntary servitude, slave trade offenses, and possession, transfer or sale of false immigration documents in furtherance of trafficking, and the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act.

(2) In carrying out this subsection, the Sentencing Commission shall--

(A) take all appropriate measures to ensure that these sentencing guidelines and policy statements applicable to the offenses described in paragraph (1) of this subsection are sufficiently stringent to deter and adequately reflect the heinous nature of such offenses;

(B) consider conforming the sentencing guidelines applicable to offenses involving trafficking in persons to the guidelines applicable to peonage, involuntary servitude, and slave trade offenses; and

(C) consider providing sentencing enhancements for those convicted of the offenses described in paragraph (1) of this subsection that--

(i) involve a large number of victims;

(ii) involve a pattern of continued and flagrant violations;

(iii) involve the use or threatened use of a dangerous weapon; or

(iv) result in the death or bodily injury of any person.

(3) The Commission may promulgate the guidelines or amendments under this subsection in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

(c) RACKETEERING- Section 1961(1) of title 18, United States Code, is amended by inserting `section 1589 (relating to trafficking into involuntary servitude, peonage, or slavery-like conditions), section 1589A (relating to

sex trafficking of children or by force, fraud, or coercion),' after `murder-for-hire),'.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR THE INTERAGENCY TASK FORCE- To carry out the purposes of section 5, there are authorized to be appropriated to the Secretary of State $1,500,000 for fiscal year 2000 and $3,000,000 for fiscal year 2001.

(b) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF HEALTH AND HUMAN SERVICES- To carry out the purposes of section 7(b) there are authorized to be appropriated to the Secretary of Health and Human Services $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(c) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF STATE- To carry out the purposes of section 7(a) there are authorized to be appropriated to the Secretary of State $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(d) AUTHORIZATION OF APPROPRIATIONS TO ATTORNEY GENERAL- To carry out the purposes of section 7(b) there are authorized to be appropriated to the Attorney General $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(e) AUTHORIZATION OF APPROPRIATIONS TO PRESIDENT-

(1) FOREIGN VICTIM ASSISTANCE— To carry out the purposes of Section 6 there are authorized to be appropriated to the President $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(2) ASSISTANCE TO FOREIGN COUNTRIES TO MEET MINIMUM STANDARDS—To carry out the purposes of Section 9 there are

authorized to be appropriated to the President $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

(f) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF LABOR- To carry out the purposes of section 7(b) there are authorized to be appropriated to the Secretary of Labor $5,000,000 for fiscal year 2000 and $10,000,000 for fiscal year 2001.

AMENDMENT TO H.R. 3244
OFFERED BY MR. SMITH OF NEW JERSEY

On page 6, line 19, immediately following section 18, insert the following new section (and re-number the remaining sections accordingly):

(19) One of the founding documents of the United States, the Declaration of Independence, recognizes the inherent dignity and worth of all people. It states that "all men are created equal" and "that they are endowed by their Creator with certain unalienable rights." The right to be free from slavery and involuntary servitude is among those unalienable rights. Acknowledging this fact, the United States outlawed slavery and involuntary servitude in 1865, recognizing them as evil institutions that must be abolished. Current practices of sexual slavery and trafficking of women and children are similarly abhorrent to the principles upon which our country was founded.

106TH CONGRESS
1ST SESSION

H. CON. RES. 165

Expressing United States policy toward the Slovak Republic.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1999

Mr. MICA (for himself, Mr. GILMAN, Mr. STUPAK, Mr. KUCINICH, Mr. KNOLLENBURG, and Mr. SMITH of New Jersey) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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CONCURRENT RESOLUTION

Expressing United States policy toward the Slovak Republic.

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. FINDINGS.

The Congress finds the following:

(1) Elections held in May 1999 brought the first ever popularly elected President of the Slovak Republic to office and demonstrated the commitment of the Slovak people to full economic reforms, democratic government, and western ideals.

(2) The parliamentary elections held in September 1998 brought to office a coalition govern-

ment in the Slovak Republic which has shown its commitment to economic reforms through economic austerity measures approved in May 1999, increased foreign investments through privatization of markets that were formerly state controlled, and discipline in government and currency policies.

(3) The Government of the Slovak Republic formed after the elections of September 1998 has renewed efforts to ensure the proper treatment of its citizens, regardless of ethnic background, including those of ethnic Hungarian background through the placement of three ethnic Hungarians in the cabinet of the Government (including the Deputy Premier for Human and Minority Rights), and through the passage of the Minority Language Use Act on July 10, 1999, in accordance with European Union guidelines, which will take effect on September 1, 1999, to protect the rights of all citizens.

(4) The Government of the Slovak Republic has made Slovakia's integration into pan-European and trans-Atlantic institutions, including the European Union and the North Atlantic Treaty Organization (NATO), the highest foreign policy priority, and through active participation with the Visegrad Four,

the Slovak Republic has undertaken efforts to promote stability in the region.

(5) The Government of the Slovak Republic has stated its continuing support for the mission of NATO in supporting democratization and stability across Europe, and the Government demonstrated its commitment to these principles by fully cooperating with NATO during the recent conflict in Kosovo, allowing NATO full access to Slovak airspace, highways, and railways.

(6) The Slovak Republic subsequently provided military engineers to assist the peacekeeping force of NATO in Kosovo (KFOR), approved a $2,000,000 humanitarian aid package for Kosovo, and housed over 100 refugees from the conflict.

(7) The Government of the Slovak Republic has continually worked to retain civilian control of its military through participation with NATO forces and has been an active participant in the Partnership-for-Peace program.

(8) The Slovak Republic has provided military personnel for participation in and support of multinational peacekeeping operations such as the United Nations operations in Rwanda and Liberia.

SEC. 2. POLICY TOWARD THE SLOVAK REPUBLIC.

It is the policy of the United States—

(1) to promote the development in the Slovak Republic of a market-based economy and a democratic government that respects the rights of all of its citizens, regardless of ethnic background; and

(2) to support the eventual integration of the Slovak Republic into pan-European and trans-Atlantic economic and security institutions.

SEC. 3. SENSE OF THE CONGRESS.

It is the sense of the Congress that—

(1) the Government of the Slovak Republic formed after the elections of September 1998 is to be commended—

(A) for its efforts to address the issue of proper treatment of its citizens, regardless of ethnic background, particularly those of ethnic Hungarian background;

(B) for its efforts to improve the economic situation in the Slovak Republic and for its efforts to accelerate the privatization of state-owned enterprises in a fair and transparent process; and

(C) for its support for the North Atlantic Treaty Organization (NATO) in the recent conflict in Kosovo;

(2) the Government of the Slovak Republic should continue to implement programs that may qualify the Slovak Republic for entrance into the European Union and NATO and is to be commended for its continued support of the NATO effort to ensure stability and democratization across Europe; and

(3) the United States should support efforts for the eventual integration of the Slovak Republic into pan-European and trans-Atlantic institutions and should view such integration as an important factor in consolidating democratic government and economic stability in the Slovak Republic.

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106TH CONGRESS
1ST SESSION

H. CON. RES. 206

Expressing grave concern regarding armed conflict in the North Caucasus region of the Russian Federation which has resulted in civilian casualties and internally displaced persons, and urging all sides to pursue dialog for peaceful resolution of the conflict.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 1999

Mr. SMITH of New Jersey (for himself, Mr. WOLF, and Mr. FORBES) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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CONCURRENT RESOLUTION

Expressing grave concern regarding armed conflict in the North Caucasus region of the Russian Federation which has resulted in civilian casualties and internally displaced persons, and urging all sides to pursue dialog for peaceful resolution of the conflict.

Whereas during the Russo-Chechen War of 1994–1996, Russian Federation military forces used massive force against civilians in Chechnya, causing immense human casualties, gross human rights violations, large-scale displacement of individuals, and destruction of property;

Whereas Chechnya has been the site of internal lawlessness and numerous kidnapings, including that of United

States citizen Fred Cuny, whose exact fate is still unknown;

Whereas in recent months, extremist forces based in Chechnya have mounted armed incursions into the adjacent Russian Federation Republic of Dagestan;

Whereas the United States recognizes the territorial integrity of the Russian Federation;

Whereas Russian Federation armed forces have conducted armed attacks against Chechnya and positioned forces with the stated intention of sealing Chechnya's borders and creating a security zone in the region;

Whereas such attacks, including indiscriminate bombing and strafing of civilians in Chechnya, have given rise to over 100,000 internally displaced persons, most of whom have escaped into neighboring regions of Russia;

Whereas such indiscriminate attacks are a violation of paragraph 19 of the Code of Conduct on Politico-Military Aspects of Security, approved at the 1994 Summit of the Organization for Security and Cooperation in Europe, held in Budapest, Hungary, which states that in the event of armed conflict, participating States "will seek to create conditions favorable to the political solution of the conflict. They will cooperate in support of humanitarian assistance to alleviate suffering among the civilian population, including facilitating the movement of personnel and resources to such tasks", and paragraph 36, which states, "If recourse to force cannot be avoided in performing internal security missions, each participating State will ensure that its use must be commensurate with the needs for enforcement. The armed forces will take due care to avoid injury to civilians or their property.";

Whereas the conflict in the North Caucasus may threaten democratic development, the rule of law, and respect for human rights throughout Russia;

Whereas almost 300 persons have died as a result of unsolved terrorist bombings in Russia that coincided with the armed incursions into Dagestan;

Whereas authorities in Moscow and other cities of the Russian Federation have used terrorist bombings as a pretext to intensify a campaign against individuals from the North Caucasus region, including the detention and forcible expulsion of such individuals from these cities; and

Whereas in response to Russian attacks the elected Government of Chechnya has declared its solidarity with renegade Chechen forces in opposing Russian attacks: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) urges the Government of the Russian Federation to cease the indiscriminate use of force against the civilian population in Chechnya, in accordance with commitments of the Organization for Security and Cooperation in Europe;

(2) urges the Government of the Russian Federation to enter into negotiations on the North Caucasus conflict with legitimate political representatives of the region, including President Maskhadov and his Government, and to avail itself of the conflict prevention and crisis management capabilities

of the Organization for Security and Cooperation in Europe, which helped broker an end to the 1994–1996 War;

(3) urges the Government of Chechnya to use every appropriate means to deny extremist forces located in its territory a base of operations for the mounting of armed incursions that threaten peace and stability in the North Caucasus region;

(4) cautions that forcible resettlement of internally displaced persons would evoke outrage from the international community;

(5) urges that the Government of the Russian Federation seek and accept international humanitarian assistance to alleviate the suffering of the internally displaced persons from Chechnya, so as to reduce the risk of civilian casualties; and

(6) calls on the Government of the United States to express to all parties the necessity of resolving the conflict peacefully, with full respect to the human rights of all the citizens of the Russian Federation, and to support the provision of appropriate international humanitarian assistance.

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EN BLOC AMENDMENTS TO H. CON. RES. 206 OFFERED BY MR. SMITH OF NEW JERSEY

Page 2, in the first Whereas clause, insert before the semicolon the following: "and attempted to establish a political entity therein against the wishes of the majority of the population of Dagestan".

Page 2, in the fourth Whereas clause, strike ", including indiscriminate bombing and strafing of civilians in Chechnya, have given" and insert "and indiscriminate and disproportionate use of force has harmed innocent civilians and given".

Page 3, in the second Whereas clause, insert before the semicolon the following: "and Russian authorities have attributed the terrorist bombings to Chechen insurgents", and move the second Whereas clause to page 2, after the first Whereas clause.

Page 3, line 4, insert "and all parties" before "to cease".

Page 3, lines 8 and 9, strike "the Government of the Russian Federation" and insert "all parties, including the Government of the Russian Federation,".

Page 4, line 4, strike "Government of Chechnya" and insert "Chechen authorities".

Page 4, insert the following after line 8 and redesignate the succeeding paragraphs accordingly:

(4) urges the Chechen authorities to create a rule of law environment with legal norms based upon internationally accepted standards;

.....
(Original Signature of Member)

106TH CONGRESS
1ST SESSION

H. CON. RES. 222

IN THE HOUSE OF REPRESENTATIVES

Mr. ROGAN submitted the following concurrent resolution; which was referred to the Committee on _____

CONCURRENT RESOLUTION

Condemning the assassination of Armenian Prime Minister Vazgen Sargsian and other officials of the Armenian Government and expressing the sense of the Congress in mourning this tragic loss of the duly elected leadership of Armenia.

Whereas on October 27, 1999, several armed individuals broke into Armenia s Parliament and assassinated the Prime Minister of Armenia, Vazgen Sargsian, the Chairman of the Armenian Parliament, Karen Demirchian, the Deputy Chairman of the Armenian Parliament, Yuri Bakhshian, the Minister of Operative Issues, Leonard

Petrossian, and other members of the Armenian Government;

Whereas Armenia is working toward democracy, the rule of law, and a viable free market economy since obtaining its freedom from Soviet rule in 1991; and

Whereas all nations of the world mourn the loss suffered by Armenia on October 27, 1999: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) deplores the slaying of the Prime Minister of Armenia, Vazgen Sargsian, the Chairman of the Armenian Parliament, Karen Demirchian, the Deputy Chairman of the Armenian Parliament, Yuri Bakhshian, the Minister of Operative Issues, Leonard Petrossian, and other members of the Armenian Government struck down in this violent attack;

(2) strongly shares the determination of the Armenian people that the perpetrators of these vile acts will be swiftly brought to justice so that Armenia may demonstrate its resolute opposition to acts of terror;

(3) commends the efforts of the late Prime Minister and the Armenian Government for their commitment to democracy, the rule of law, and for supporting free market movements internationally; and

(4) continues to cherish the strong friendship between Armenia and the United States.

106TH CONGRESS
1ST SESSION

H. CON. RES. 211

Expressing the strong support of the Congress for the recently concluded elections in the Republic of India and urging the President to travel to India.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 1999

Mr. ACKERMAN (for himself, Mr. GEJDENSON, and Mr. LANTOS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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CONCURRENT RESOLUTION

Expressing the strong support of the Congress for the recently concluded elections in the Republic of India and urging the President to travel to India.

Whereas the Republic of India is a longstanding parliamentary democracy where citizens may freely change their government;

Whereas India has a thriving multiparty system where a broad spectrum of political views are represented;

Whereas India recently conducted a successful round of elections, involving over 650,000,000 registered voters and resulting in a 60 percent voter turnout and re-election of Prime Minister Atal Bihari Vajpayee;

Whereas India and the United States share a special relationship as the world's most populous democracy and the world's oldest democracy, respectively, and have a shared commitment to upholding the will of the people and the rule of law;

Whereas the President has expressed his continued desire to travel to South Asia; and

Whereas India continues to be a shining example of democracy for all of Asia to follow: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) congratulates the people of the Republic of India on the successful conclusion of their recent national elections;

(2) congratulates Prime Minister Atal Bihari Vajpayee on his re-election;

(3) calls on the President to travel to India as part of any trip to South Asia; and

(4) urges the President to broaden our special relationship with India into a strategic partnership.

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106TH CONGRESS
1ST SESSION

H. CON. RES. 200

Expressing the strong opposition of Congress to the military coup in Pakistan and calling for a civilian, democratically-elected government to be returned to power in Pakistan.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 1999

Mr. GEJDENSON (for himself, Mr. LANTOS, Mr. ACKERMAN, and Mr. PALLONE) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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CONCURRENT RESOLUTION

Expressing the strong opposition of Congress to the military coup in Pakistan and calling for a civilian, democratically-elected government to be returned to power in Pakistan.

Whereas the United States has a vital interest in promoting stability in South Asia, reducing tensions between India and Pakistan, and promoting United States political, economic, strategic, and humanitarian interests in both of those nations;

Whereas on October 12, 1999, the armed forces of Pakistan, led by Army Chief of Staff General Pervez Musharraf, overthrew the democratically-elected Government of Pakistan in violation of the Constitution of the Islamic Republic of Pakistan;

Whereas on October 15, 1999, General Musharraf declared a state of emergency, suspended Pakistan's Constitution, dismissed the national government and the legislature, and declared himself Pakistan's supreme leader;

Whereas Pakistani Prime Minister Nawaz Sharif, his brother Shabaz Sharif who was the chief minister of Punjab, and several cabinet members have been placed under house arrest;

Whereas the United States has a vital interest in the promotion of democracy abroad and is strongly opposed to military takeovers of democratically-elected governments;

Whereas the United States has invoked section 508 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted by division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), which provides that none of the funds appropriated or otherwise made available under that Act may be obligated or expended to finance directly any assistance to any country whose duly elected head of government is deposed by military coup or decree;

Whereas Pakistan's military rulers must understand that the United States will not carry on a business-as-usual relationship until a civilian, democratically-elected government is returned to power;

Whereas the Department of Defense Appropriations Act, 2000 (presented by Congress on October 14, 1999, for the President's approval), would grant the President the ability to waive sanctions against India and Pakistan otherwise required under section 102(b) of the Arms Export Control Act (22 U.S.C. 2799aa–1) and section 620E(e)

of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), and would also grant the President, for the first time since the invocation of section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), the ability to approve commercial and government-to-government military sales to Pakistan;

Whereas Congress believes that the United States should not consider the sale of any military equipment or services, or reinstatement of Pakistan's eligibility for international military education and training, until a civilian, democratically-elected government is returned to power in Pakistan; and

Whereas the military has been in control of Pakistan for 25 of Pakistan's 52-year history, and no democratically-elected head of state there has completed an elected term of office: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) condemns the overthrow of the democratically-elected Government of Pakistan by the armed forces of Pakistan on October 12, 1999, in violation of the Constitution of the Islamic Republic of Pakistan;

(2) further condemns the subsequent declaration by General Musharraf of a state of emergency, the suspension of Pakistan's Constitution, the dismissal of the national government and the legisla-

ture, and the declaration of himself as Pakistan's supreme leader;

(3) expresses grave concern about the implications for security and stability in the South Asia region, in light of the history of tensions between India and Pakistan and the fact that both nations have recently tested nuclear devices, and urges both of those countries to exercise restraint in the current environment;

(4) calls for the immediate restoration of a civilian, democratically-elected government in Pakistan, including the legislature, and the restoration of democracy and the rule of law;

(5) urges the armed forces of Pakistan to respect the human rights of all Pakistani citizens, including those members of the national government who are currently being illegally detained in violation of their constitutional and human rights; and

(6) calls on the President not to consider exercising the waiver authority which would be granted to him by the Department of Defense Appropriations Act, 2000 (presented by Congress on October 14, 1999, for the President's approval), to allow the sale of any military equipment or services to Pakistan, or reinstatement of Pakistan's eligibility for

international military education and training, until a civilian, democratically-elected government is returned to power in Pakistan.

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[COMMITTEE PRINT]

Showing H. Con. Res. 200, as Reported by the Subcommittee on Asia and the Pacific

[The amendments consist of an amendment in the nature of a substitute to the preamble and text and a title amendment]

106TH CONGRESS
1ST SESSION

H. CON. RES. 200

Expressing the strong opposition of Congress to the military coup in Pakistan and calling for a civilian, democratically-elected government to be returned to power in Pakistan.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 1999

Mr. GEJDENSON (for himself, Mr. LANTOS, Mr. ACKERMAN, and Mr. PALLONE) submitted the following concurrent resolution; which was referred to the Committee on International Relations

---

CONCURRENT RESOLUTION

Expressing the strong opposition of Congress to the military coup in Pakistan and calling for a civilian, democratically-elected government to be returned to power in Pakistan.

Strike the preamble and the text after the resolving clause and insert the following:

Whereas the United States has a vital interest in promoting stability in South Asia, reducing tensions between India and Pakistan, and promoting United States political, economic, strategic, and humanitarian interests in both of those nations;

Whereas on October 12, 1999, the armed forces of Pakistan, led by Army Chief of Staff General Pervez Musharraf, overthrew the democratically elected Government of Pakistan in violation of the Constitution of the Islamic Republic of Pakistan;

Whereas on October 15, 1999, General Musharraf declared a state of emergency, suspended Pakistan's Constitution, dismissed the national government and the legislature, and declared himself Pakistan's supreme leader;

Whereas Pakistani Prime Minister Nawaz Sharif, his brother Shabaz Sharif who was the chief minister of Punjab, and several cabinet members have been placed under house arrest;

Whereas the United States has a vital interest in the promotion of democracy abroad and is strongly opposed to military takeovers of democratically elected governments;

Whereas the United States has invoked section 508 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted by division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), which provides that none of the funds appropriated or otherwise made available under that Act may be obligated or expended to finance directly any assistance to any

country whose duly elected head of government is deposed by military coup or decree;

Whereas Pakistan's military rulers must understand that the United States will not carry on a business-as-usual relationship until a civilian, democratically elected government is returned to power;

Whereas the Department of Defense Appropriations Act, 2000, (presented by Congress on October 14, 1999, for the President's approval), would grant the President the ability to waive sanctions against India and Pakistan otherwise required under section 102(b) of the Arms Export Control Act (22 U.S.C. 2799aa–1) and section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), and would also grant the President, for the first time since the invocation of section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), the ability to approve commercial and government-to-government military sales to Pakistan;

Whereas Congress believes that the United States should not consider the sale of any military equipment or services until a civilian, democratically elected government is returned to power in Pakistan; and

Whereas the military has been in control of Pakistan for 25 of Pakistan's 52–year history, and no democratically elected head of state there has completed an elected term of office: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) expresses concern on the overthrow of the democratically elected Government of Pakistan by

the armed forces of Pakistan on October 12, 1999, in violation of the Constitution of the Islamic Republic of Pakistan;

(2) further expresses concern regarding the subsequent declaration by General Musharraf of a state of emergency, the suspension of Pakistan's Constitution, the dismissal of the national government and the legislature, and the declaration of himself as Pakistan's supreme leader;

(3) expresses grave concern about the implications for security and stability in the South Asia region, in light of the history of tensions between India and Pakistan and the fact that both nations have recently tested nuclear devices, and urges both of those countries to exercise restraint in the current environment;

(4) calls for the rapid restoration of a civilian, democratically elected government in Pakistan, including the legislature, and the immediate release of a timetable for restoration of democracy and the rule of law;

(5) urges the armed forces of Pakistan to respect the human rights of all Pakistani citizens, including those members of the national government

who are currently being illegally detained in violation of their constitutional and human rights; and

(6) calls on the President not to consider exercising the waiver authority which would be granted to him by the Department of Defense Appropriations Act, 2000 (presented by Congress on October 14, 1999, for the President's approval), to allow the sale of any military equipment or services to Pakistan until a civilian, democratically elected government is returned to power in Pakistan.

Amend the title so as to read: "Concurrent resolution expressing the strong concern of Congress to the military coup in Pakistan and calling for a civilian, democratically elected government to be returned to power in Pakistan.".

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO THE COMMITTEE PRINT OF H. CON. RES. 200 OFFERED BY MR. GEJDENSON AND MR. BROWN OF OHIO

Amend the preamble to read as follows:

Whereas the United States has a vital interest in promoting stability in South Asia, reducing tensions between India and Pakistan, and promoting United States political, economic, strategic, and humanitarian interests in both of those nations;

Whereas on October 12, 1999, the armed forces of Pakistan, led by Army Chief of Staff General Pervez Musharraf, overthrew the democratically elected Government of Pakistan in violation of the Constitution of the Islamic Republic of Pakistan;

Whereas on October 15, 1999, General Musharraf declared a state of emergency, suspended Pakistan's Constitution, dismissed the national government and the legislature, and declared himself Pakistan's supreme leader;

Whereas Pakistani Prime Minister Nawaz Sharif, his brother Shabaz Sharif who was the chief minister of Punjab, and several cabinet members have been placed under house arrest;

Whereas the United States has a vital interest in the promotion of democracy abroad and is strongly opposed to military takeovers of democratically elected governments;

Whereas the United States has invoked section 508 of the Foreign Operations, Export Financing, and Related Pro-

grams Appropriations Act, 1999, as enacted by division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), which provides that none of the funds appropriated or otherwise made available under that Act may be obligated or expended to finance directly any assistance to any country whose duly elected head of government is deposed by military coup or decree;

Whereas Pakistan's military rulers must understand that the United States will not carry on a business-as-usual relationship until a civilian, democratically elected government is returned to power;

Whereas the Department of Defense Appropriations Act, 2000, (Public Law 106–79), would grant the President the ability to waive sanctions against India and Pakistan otherwise required under section 102(b) of the Arms Export Control Act (22 U.S.C. 2799aa–1) and section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), and would also grant the President, for the first time since the invocation of section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), the ability to approve commercial and government-to-government military sales to Pakistan;

Whereas Congress believes that the United States should not consider the sale of any military equipment or services, or reinstatement of Pakistan's eligibility for international military education and training, until a civilian, democratically elected government is returned to power in Pakistan; and

Whereas the military has been in control of Pakistan for 25 of Pakistan's 52-year history, and no democratically

elected head of state there has completed an elected term of office: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That Congress—

(1) condemns the overthrow of the democratically elected Government of Pakistan by the armed forces of Pakistan on October 12, 1999, in violation of the Constitution of the Islamic Republic of Pakistan;

(2) further condemns the subsequent declaration by General Musharraf of a state of emergency, the suspension of Pakistan's Constitution, the dismissal of the national government and the legislature, and the declaration of himself as Pakistan's supreme leader;

(3) expresses grave concern about the implications for security and stability in the South Asia region, in light of the history of tensions between India and Pakistan and the fact that both nations have recently tested nuclear devices, and urges both of those countries to exercise restraint in the current environment;

(4) calls for the immediate restoration of a civilian, democratically elected government in Paki-

stan, including the legislature, and the restoration of democracy and the rule of law;

(5) urges the armed forces of Pakistan to respect the human rights of all Pakistani citizens, including those members of the national government who are currently being illegally detained in violation of their constitutional and human rights; and

(6) calls on the President not to consider exercising the waiver authority which would be granted to him by the Department of Defense Appropriations Act, 2000 (Public Law 106–79), to allow the sale of any military equipment or services to Pakistan, or reinstatement of Pakistan's eligibility for international military education and training, until a civilian, democratically elected government is returned to power in Pakistan.

Amend the title to read: "Expressing the strong opposition of Congress to the military coup in Pakistan and calling for a civilian, democratically elected government to be returned to power in Pakistan."

HRES 169 IH

106th CONGRESS

1st Session

H. RES. 169

Expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic.

IN THE HOUSE OF REPRESENTATIVES

May 13, 1999

Mr. VENTO (for himself and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on International Relations

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RESOLUTION

Expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic.

Whereas in 1975, the Pathet Lao party supplanted the existing Lao government and the Lao Royal Family, and established a `people's democratic republic', in violation of the 1962 Declaration on the Neutrality of Laos and its Protocol, as well as the 1973 Vientiane Agreement on Laos;

Whereas since the 1975 overthrow of the existing Lao Government, Laos has been under the sole control of the Lao People's Democratic Party;

Whereas the present Lao Constitution provides for human rights protection for the Lao people, and Laos is a signatory to international agreements on civil and political rights;

Whereas Laos has become a member of the Association of Southeast Asian Nations, which calls for the creation of open societies in each of its member states by the year 2020;

Whereas despite that, the State Department's `Country Reports on Human Rights Practices for 1998' notes that the government has only slowly eased restrictions on basic freedoms and begun codification of implementing legislation for rights stipulated in the Lao Constitution, and continues to significantly restrict the freedoms of speech, assembly, and religion;

Whereas according to Amnesty International, serious problems persist in the human rights record of the Government of Laos, including the continued detention of political prisoners and the treatment of such prisoners in a manner that is degrading, abusive, and inhumane;

Whereas in February 1998, one political prisoner of the Government of Laos, Thongsouk Saysangkhi, died, and an unknown number of other political prisoners still remain inside its prisons; and

Whereas allegations of persecution and human rights abuse of the Hmong who repatriated to Laos continue, and Hmong families of detained political prisoners are reported to be threatened daily under the Communist Government in Laos: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the present Government of Laos should--

(1) respect international norms of human rights and democratic freedoms for the Lao people, and fully honor its commitments to those norms and freedoms as embodied in its constitution and international agreements, and in the 1962 Declaration on the Neutrality of Laos and its Protocol and the 1973 Vientiane Agreement on Laos;

(2) issue a public statement specifically reaffirming its commitment to protecting religious freedom and other basic human rights;

(3) fully institute a process of democracy, human rights, and openly contested free and fair elections in Laos, and ensure specifically that the National Assembly elections--currently scheduled for 2002--are openly contested; and

(4) allow access for international human rights monitors, including the International Committee of the Red Cross and Amnesty International, to Lao prisons, and to all regions of the country to investigate allegations of human rights abuses, including those against the Hmong people, when requested.

END

[COMMITTEE PRINT]

Showing H. Res. 169, as Reported by the Subcommittee on Asia and the Pacific

[The amendments consist of amendments in the nature of a substitute to the preamble and text and a title amendment]

106TH CONGRESS
1ST SESSION

H. RES. 169

Expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 1999

Mr. VENTO (for himself and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on International Relations

---

RESOLUTION

Expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic.

Strike the preamble and the text after the resolving clause and insert the following:

Whereas since the 1975 overthrow of the existing Royal Lao Government, Laos has been under the sole control of the Lao People's Revolutionary Party;

Whereas the present Lao constitution provides for a wide range of freedoms for the Lao people, including freedom of speech, freedom of assembly, and freedom of religion, and Laos is a signatory to international conventions on genocide, racial discrimination, discrimination against women, war crimes, and rights of the child;

Whereas since July 1997, Laos has been a member of the Association of Southeast Asian Nations (ASEAN), an organization which has set forth a vision for the year 2020 of a membership consisting of "open societies . . . governed with the consent and greater participation of the people" and "focus(ed) on the welfare and dignity of the human person and the good of the community";

Whereas, despite the Lao constitution and the membership by Laos in ASEAN, the Department of State's Laos Country Report on Human Rights Practices for 1998 states that the Lao Government's human rights record deteriorated and that the Lao Government restricts freedom of speech, assembly, association, and religion;

Whereas Amnesty International reports that serious problems persist in the Lao Government's performance in the area of human rights, including the continued detention of prisoners of conscience in extremely harsh conditions, and that in one case a prisoner of conscience held with-

out trial since 1996 was chained and locked in wooden stocks for a period of 20 days;

Whereas Thongsouk Saysangkhi, a political prisoner sentenced to 14 years imprisonment in November 1992 after a grossly unfair trial, died in February 1998 due to complications of diabetes after having been detained in harsh conditions with no medical facilities;

Whereas there are at least 5 identified, long-term political prisoners inside the Lao Government's prison system and the possibility of others whose names are not known; and

Whereas there continue to be credible reports that some members of the Lao Government's security forces commit human rights abuses, including arbitrary detention and intimidation: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the present Government of Laos should—

(1) respect internationally recognized norms of human rights and the democratic freedoms of the people of Laos and honor in full its commitments to those norms and freedoms as embodied in its constitution and its participation in international organizations and agreements;

(2) issue a public statement specifically reaffirming its commitment to protecting religious freedom and other basic human rights;

(3) institute fully a democratic electoral system, with openly contested, free, and fair elections by se-

cret ballot, beginning no later than the next National Assembly elections, currently scheduled to be held in 2002; and

(4) allow unrestricted access by international human rights monitors, including the International Committee of the Red Cross and Amnesty International, to all prisons and to all regions of the country to investigate alleged abuses of human rights, including those against the Hmong minority.

Amend the title so as to read: "Resolution expressing the sense of the House of Representatives with respect to democracy and human rights in the Lao People's Democratic Republic.".

PERFECTING

AMENDMENT IN THE NATURE OF A SUBSTITUTE

TO H. RES. 169

OFFERED BY MR. RADANOVICH

Add the following to the preamble:

Whereas two United States citizens, Mr. Houa Ly, a resident of Appleton, Wisconsin, and Mr. Michael Vang, a resident of Fresno, California, were traveling along the border between Laos and Thailand on April 19, 1999;

Whereas according to American eyewitnesses, United States congressional research missions, non-governmental organizations and other sources, Messrs. Ly and Vang were seized by Lao Government authorities;

Whereas the Lao Government continues to deny knowledge of the whereabouts of Messrs. Ly and Vang or the role of government security forces in abducting them;

Whereas congressional missions, including one conducted by the Chairman of the Committee on International

Relations of the House of Representatives, traveled to Southeast Asia during July and August to further investigate this incident and raise the issue at the highest levels of government in the region;

Whereas the chief response to this incident by the Department of State and United States Ambassador to Laos Wendy Chamberlain has been to undertake an investigation in cooperation with the regime in Laos—a regime involved with the disappearance of Messrs. Ly and Vang;

Whereas the families of Messrs. Ly and Vang have been able to learn very little from the United States Government regarding the whereabouts or current circumstances of their loved ones; and

Whereas the Congress will not tolerate any unjustified arrest, abduction, imprisonment, disappearance, or other act of aggression against United States citizens by a foreign government: Now, therefore, be it

Amend the text ~~after the resolving clause to read as~~ to add the following paragraphs in the appropriate places:

follows:

That the House of Representatives—

(1) decries the abduction of Houa Ly and Michael Vang, recognizing it as an incident worthy of congressional attention;

(2)
(3) calls upon the regime in Laos ~~and the Department of State~~ to expeditiously release any and all information regarding the whereabouts or current circumstances of Messrs. Ly and Vang to their families and to Congress;

(3)
(4) urges the Lao Government to return Messrs. Ly and Vang, or their remains, to United States authorities and their families in America at once;

(4)
(5) warns the Lao Government of the serious consequences, including sanctions, of any unjustified arrest, abduction, imprisonment, disappearance, or other act of aggression against United States citizens;

expresses
~~(5) calls for~~ a sense of the Congress that the Government of Laos should understand that the whole range of relations with the U.S. Governme are in jeopardy until Messrs. Ly and Vang are fully accounted for and this case is satisfactorily resolved; and

(6) urges the Subcommittee on Trade of the Committee on Ways and Means of the House of Representatives, as well as its counterpart in the Senate, to suspend any further review, consideration, or action regarding normal trade relations status for Laos until Messrs. Ly and Vang are fully accounted for and this case is satisfactorily resolved; and

Amend the title so as to read: "A resolution condemning the communist regime in Laos for its many human rights abuses. .

Final Radanovich amendment, as amended by Bereuter:

In the Asia Pacific Subcommittee substitute amendment:

On page 3 in the last Whereas clause, after the word "intimidation" and before ": *Now, therefore, be it*", add:

";

Whereas two United States citizens, Mr. Houa Ly, a resident of Appleton, Wisconsin, and Mr. Michael Vang, a resident of Fresno, California, were traveling along the border between Laos and Thailand on April 19, 1999;

Whereas the families of Messrs. Ly and Vang have been able to learn very little from the United States Government regarding the whereabouts or current circumstances of their loved ones; and

Whereas the Congress will not tolerate any unjustified arrest, abduction, imprisonment, disappearance, or other act of aggression against United States citizens by a foreign government

On page 4, line 3, strike the word "and"

On page 4, after line 9, delete "Amend the title so as to read: "Resolution expressing the sense of the House of Representatives with respect to democracy and human rights in the Lao People's Democratic Republic.".", and add:

(5) decries the disappearance of Houa Ly and Michael Vang, recognizing it as an incident worthy of congressional attention;

(6) urges the Lao Government to return Messrs. Ly and Vang, or their remains, to United States authorities and their families in America at once, if it is determined that the Lao government is responsible for the disappearance of Mssrs. Ly and Vang;

(7) warns the Lao Government of the serious consequences, including sanctions, of any unjustified arrest, abduction, imprisonment, disappearance, or other act of aggression against United States citizens; and

(8) urges the Department of State and other appropriate United States agencies to share the maximum amount of information regarding the disappearance of Messrs. Ly and Vang.

Amend the title so as to read: "A resolution condemning the communist regime in Laos for its many human rights abuses.".

NEWS International Relations Committee

U.S. House of Representatives * Benjamin A. Gilman, Chairman * 2170 RHOB * Washington, D.C. 20515

DATE: November 9, 1999 *FOR RELEASE: Immediate* 1199-11
CONTACT: Lester Munson, Communications Director, 202-225-8097, Fax 202-225-2035

COMMITTEE PASSES TRAFFICKING VICTIMS PROTECTION ACT

WASHINGTON (Nov. 9) – U.S. Rep. Benjamin A. Gilman (20th-NY), Chairman of the House International Relations Committee, announced today that H.R. 3244, the Trafficking Victims Protection Act of 1999, passed the committee by unanimous voice vote. Gilman's statement in support of the measure follows:

I want to commend Chairman Chris Smith and the Ranking Minority Member of the Subcommittee on International Operations and Human Rights, Ms. McKinney, for their excellent work on the Trafficking Victims Protection Act. In addition, I want to thank our Ranking Minority Member of the full committee, Mr. Gejdenson, for his work on this important measure.

There are few things in this world that are as demoralizing or degrading to the human spirit as having to sell one's body or one's child in order to survive. Criminals who initiate or help to facilitate such transactions are on the lowest end of the human spectrum.

H.R. 1356 will help to end the trafficking of persons into the sex trade and into slavery-like conditions by requiring or allowing various actions, such as:

1) Requiring the President to establish an Interagency Task Force to Monitor and Combat Trafficking, chaired by the Secretary of State;

2) Requiring the Secretary of State to report to Congress annually on the status of severe forms of trafficking. Beginning in FY2002, for each country that fails to meet the minimum standards, the President must notify Congress about the steps we are taking to adequately respond;

3) Authorizing the Secretary of State to compile and publish a list of foreign persons involved with a severe form of trafficking in persons, directly or indirectly in the United States, and to take appropriate action; and

4) Allowing the president to impose International Emergency Economic Powers Act sanctions against any foreign person on that list, and requires that he report to Congress on any such sanctions.

The Trafficking Victims Protection Act is an important initiative that will help put an end to a serious problem that must be boldly addressed with no holes barred. I commend the Subcommittee on International Operations and Human Rights for their work and I urge my colleagues to support the bill.

FROM REP GEORGE RADANOVICH (WED) 11. 10' 99 12:25/ST. 12:22/NO. 4862333083 P 2

CONGRESSMAN RADANOVICH
TUES., NOV. 9 MARKUP

Mr. Chairman,

Thank you for the opportunity to voice my support for the timely passage of this measure extending our condolences to the people of Armenia and the families of the victims of the brutal October 27th attack on the Armenian Parliament.

The assassinations of Prime Minister Vasgen Sarkisian, Parliament Speaker Garen Demirchian and other leaders of the government represent, while representing a terrible loss for the Armenian nation, should not - and will not - deter the Armenian people from their progress toward democracy. Even as we mourn for those lost to this senseless slaughter, we must reaffirm our support for Armenia.

Along with our sympathies, we must send to the Armenian people the message that we remain committed to strengthening the enduring ties between the American and Armenian peoples and fostering the continued growth of the relationship Between our governments.

This legislation does just that. In it, we deplore - as we must - the violent attack on democracy and call - as we should - for the perpetrators to be brought to justice. We also commend those who fell, and those who remain, for their commitment to democracy. And finally we give voice to our resolve – as the elected representatives of the American people - to continue to value the strong alliance between the United States and Armenia.

I encourage all my colleagues to support this measure and, moreover, to advocate its speedy adoption so that our condolences reach the people of Armenia during this terrible period of mourning for their slain leaders.

STATEMENT OF REP. GARY L. ACKERMAN
NOVEMBER 9, 1999
H. CON. RES. 200

Thank you Mr. Chairman, I greatly appreciate your leadership and deep personal interest in the affairs of the South Asia. I also commend the Ranking Member for his leadership in support of democracy and for introducing this resolution.

Mr. Chairman, nothing short of a constitutional, democratic and civilian government in Pakistan should be acceptable to either the Congress or the Administration. The brutal demise of democracy has to be undone. The military usurpers have to retreat to where they belong --- the barracks.

Manipulated referendums or other sham manifestations of a fraudulent democracy should not be tolerated. The will of the Pakistani people expressed in a free and fair election, and supervised by the international community, must be allowed to prevail. The Administration should be forcefully pressing for the restoration of democracy in Pakistan.

Engaging Pakistan is very important. This engagement, however, should in no way be a pretext for our approval for the military rulers to continue in power.

Pro-democratic forces will never forgive us Mr. Chairman, if we, even mistakenly, signal any approval of the military rulers. Our engagement with Pakistan should consist of a one-point agenda --- the restoration of democracy in that nation. All other issues, however pressing, should be conditioned on this point.

Restoration of democracy in Pakistan is the key to maintaining peace and stability in South Asia. The current illegitimate regime in Islamabad will prove to be a source of destabilization in the region. Neighboring nations, especially India, simply cannot confidently do business with this, or any, unconstitutional regime in Islamabad. This is especially so because the current Pakistani dictator, General Pervaiz Musharraf, is the architect of the invasion of Kargil. He is the mastermind of the most recent war Pakistan has waged against India. It would be too much to expect the Vajpayee government to trust the Pakistani dictator. And I am confident he will not.

I am deeply concerned over the recent reports that General Musharraf blatantly intends to disown the Lahore process that Islamabad and New Delhi had embarked upon earlier this year with much hope and fanfare.

In a BBC interview just last week, General Musharraf took a hard-line position against India and signaled that his regime was set to abandon the Lahore process. This is indeed a provocative move that is bound to ring alarm bells in New Delhi. And it should cause us all great concern.

The international community must put an end to this pattern of provocative actions and aggressive intentions. Mr. Chairman, I strongly urge the Administration to send a clear and unambiguous message to the regime in Islamabad --- enough is enough. It's time for them to halt these acts of provocation and retreat to the barracks so that the Pakistani people can decide their own political destiny in a free and fair manner.

It's time we do everything we can to bring back democracy in Pakistan and not in any form or fashion wink at the military dictator or his civilian emissaries.

Thank you Mr. Chairman, and I urge my colleagues to support the resolution.

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COMMITTEE ON INTERNATIONAL RELATIONS

October 28, 1999

TO: **Benjamin A. Gilman, Chairman**
Committee on International Relations

FROM: **Doug Bereuter, Chairman**
Subcommittee on Asia and the Pacific

SUBJECT: **House Resolution 332 (Laos)**

House Resolution 332, introduced by Representative Mark Green and cosponsored by yourself, deals primarily with the issue of the disappearance in Laos last April of two Lao-Americans, Mr. Michael Vang and Mr. Ly Houa. No trace of these men has yet been found. There have been allegations that these men were apprehended and killed by Lao authorities. If true, this would be a deeply disturbing development. These men are constituents of Mr. Green and Mr. Radonovich, who are rightly extremely concerned about their welfare.

As a result of my own preliminary investigation, it would seem that there are a number of unresolved issues surrounding these men's disappearance. The incident remains the subject of an ongoing FBI investigation requested by the U.S. Ambassador to Laos at the time Ms. Wendy Chamberlin.

While the circumstances of these men's disappearance remains murky, there have been a number of unproven and frequently contradictory reports that suggest alternately that these men ran afoul of drug traffickers that haunt the area of the "Golden Triangle" where they disappeared, or that they ran afoul of Lao military authorities while involved in cross-border insurgent activities, or even that they may have disappeared for their own reasons. I am told there also are reports that Mr. Vang and Mr. Houa may have been engaged in illegal activities at the time of their disappearance. The FBI continues to investigate.

I also am concerned because of the unpleasant history that exists between Ambassador Chamberlin and certain elements of the Lao-American community. Her offense, I am told, is that she reiterated longstanding U.S. policy that the United States does not support the violent overthrow of any nation with whom it has diplomatic relations. Other Laotian-Americans seem to be angry at her for successfully exposing fraudulent claims for political asylum. In 1998, she received death threats prior to a speech to Hmong and Lao-Americans in Minnesota, and an individual was discovered carrying a hand grenade. In a subsequent meeting with other Lao-Americans in Denver, additional credible death threats were issued.

In short, nothing about the circumstances of the case appear clear at this time. Many of the details are highly classified, and involve sources and methods of intelligence. I have asked

Porter Goss if the Permanent Select Committee on Intelligence would assist in investigating this matter.

You will see from the attached Department of State memo and chronology that it strongly opposes H. Res. 332, questions the accuracy of many of the contentions made in the resolution and objects to the personal attack made on Ambassador Chamberlin. In view of the ongoing FBI investigation and the continued uncertainty regarding their disappearance and fate, I believe it would be premature to consider H. Res. 332 at this time. Moreover, we should not let disputes over this proposed resolution interfere with consideration of H. Res. 169, recently passed by the Subcommittee on Asia and the Pacific, which is harshly critical of the human rights abuses by the Government of Laos.

updated: 10/27/99a

CHRONOLOGY OF EVENTS
MISSING AMERICAN CITIZENS IN LAOS
May 1999 - present

04 May 1999: Two individuals report to the American Consulate in Chiang Mai, Thailand that two U.S. citizens crossed into Laos at Ban Houayxay, Bokeo province, on April 19, 1999 and had not yet returned or had contact with their families. U.S. Consulate in Chiang Mai confirms the two missing are U.S. citizens. This information is relayed to the U.S. Embassy in Vientiane.

05 May 1999: U.S. consular staff in Vientiane repeatedly attempt to contact officials in Ban Houayxay and also ask Lao immigration officials to obtain more information about the two citizens.

06 May 1999: U.S. consular staff in Vientiane and Chiang Mai continue to investigate the case, as details remain sketchy.

07 May 1999: Embassy Vientiane sends an urgent diplomatic note seeking consular access and an explanation of the situation to the Lao Ministry of Foreign Affairs (MFA). A meeting with Lao Ministry of Interior officials is held that day; MFA officials schedule appointments for the next working day, Monday, May 10.

10 May 1999: U.S. Ambassador in Vientiane meets with Minister to the President's Office to express strong USG concern and again press for consular access. Concurrently, U.S. Acting Deputy Chief of Mission meets with Lao MFA officials, and U.S. consular officer meets with Lao officials from the Consular Affairs Department to further underscore the USG's need for a prompt reply. None of the inquiries results in any new information.

12 May 1999: U.S. Ambassador meets with Deputy Foreign Minister to press the Lao government strongly for an investigation of the case. In Washington, D.C., State Department desk officer for Laos meets with wives of the two citizens as well as Dr.Pobzeb of the Lao Human Rights Council. Pobzeb presents a copy of a letter sent to Congress by the two men who first reported the

disappearance, alleging that the Laotian government has imprisoned one and killed the other of the two missing U.S. citizens.

13 May 1999: Embassy Vientiane receives copy of the same letter and presents it to the MFA. Senators Feinstein, Boxer, Kohl and Feingold send a letter about Vang and Ly to A/S for Consular Affairs Mary Ryan.

14 May 1999:

- Lao government officials report to the U.S. Embassy that it has no record of entry for the two U.S. citizens into Laos.
- East Asia and Pacific Affairs Deputy Assistant Secretary calls in the Lao Ambassador to the U.S. to continue to press our concerns and demand an immediate explanation and investigation. He also notes Congressional interest in this case. The Lao Ambassador cites the difficulty of investigating the case because the two did not cross into Laos at an international checkpoint.

17 May 1999: Embassy Vientiane receives a copy of Congressional letter to the Assistant Secretary for Consular Affairs on this matter. U.S. Ambassador continues to raise the case with Lao officials.

18 May 1999: U.S. Ambassador in Vientiane calls on Lao Vice Prime Minister to demand immediate consular access, reiterating the Lao government's responsibility under the Vienna Convention. Ambassador also states that the USG holds the Lao government accountable for the two citizens.

19 May 1999: Lao MFA officials inform Ambassador that the Deputy Prime Minister ordered officials in Bokeo to conduct an investigation. A letter about Ly and Vang is sent to the Secretary from Representatives Gilman, Green, McKinney, Smith and Kind.

21 May 1999: State Department officials meet again with Dr. Pobzeb of the Lao Human Rights Council about this case.

22-23 May 1999: U.S. officials in Chiang Mai continue to investigate the case.

25 May 1999: U.S. officials in Vientiane inquire again with Lao MFA officials about any progress on the case.

26-27 May 1999: U.S. government efforts to obtain information about this case continue in Chiang Mai and Vientiane..

28 May 1999: Assistant Secretary for Consular Affairs Mary Ryan calls in the Lao Ambassador to the U.S. to emphasize the importance the U.S. places on the safety and welfare of welfare of U.S. citizens overseas and to express concern about the lack of information. The Ambassador pledges his government's cooperation, but provides no new information.

31 May 1999: U.S. Ambassador in Vientiane meets with Lao Prime Minister to underscore the importance of resolving this case.

01-03 June 1999: U.S. investigation efforts continue.

04 June 1999: Lao authorities inform Embassy in Vientiane that they have determined that the two Americans did not request visas to enter Laos, and based on their investigation, there was no evidence about the Americans' whereabouts in Laos. U.S. Ambassador proposes to Lao Deputy Foreign Minister a joint U.S.-Lao investigation of the case; U.S. Embassy in Vientiane sends a follow up diplomatic note.

07 June 1999: U.S. Ambassador in Vientiane requests a meeting with Lao authorities to express dissatisfaction with their investigation conclusions.

08 June 1999: U.S. Ambassador in Vientiane meets with MFA Permanent Secretary to object formally to the Lao response on the welfare and whereabouts of Vang and Ly. Ambassador also presses Lao to agree to a joint U.S.-Lao investigation.

10 June 1999: U.S. Ambassador calls on Lao Deputy Prime Minister and Foreign Minister who indicates preliminary support for a joint U.S.-Lao investigation of the case. U.S. Ambassador urges Lao to make an official reply.

11 June 1999: U.S. officials in Vientiane postpone plans for travel to Boke to wait and see if the Lao will agree to a joint investigation.

14 June 1999:
Department of State officers from the East Asia and Pacific Affairs Bureau brief Congressional staffers (hosted by office of Representative Ron Kind) on status of missing Amcits case.

16 June 1999: Lao Ministry of Foreign Affairs Europe and Americas Department Acting Director General informs U.S. charge that the Lao government agrees to the U.S. proposal to form a joint investigative team to look into the case of the missing Americans. Lao representation on the team is still being decided by the ministries concerned. The U.S. side will most likely include our Legal Attache or Assistant Legal Attache from Embassy Bangkok, plus a consular officer, political officer and translator from Vientiane.

17-20 June 1999: Preparations for joint investigation get underway.

21 June 1999: Lao MFA Americas Department Director General calls in U.S. Chargé to deliver a diplomatic note formally agreeing to the U.S. proposal for a joint, cooperative investigative effort to resolve the case. He requested a proposed plan of action and noted local authorities would also need to be consulted.

22 June 1999: U.S. Embassy in Vientiane draws up a draft plan, which the joint team would use for the purpose of planning and coordinating investigative efforts. Embassy confers with the State Department on the draft plan.

23 June 1999: U.S. Embassy in Vientiane receives concurrence for the plan from the State Department. Embassy officials present the draft plan to the Lao government.

24 June 1999: Lao MFA calls U.S. Embassy to schedule a meeting for the joint investigative team. Assistant Legal Attaché from U.S. Embassy Bangkok arrives in Vientiane.

25 June 1999: U.S.-Lao joint investigative team meets for the first time and discusses investigative plan. Plans for departure tentatively set for June 29.

26-29 June 1999: U.S. Embassy and Lao officials make travel arrangements.

29 June 1999: U.S. Consul General in Chiang Mai meets with Dr. Vang Pobzeb of the Lao Human Rights Council, who was visiting Thailand.

30 June 1999: U.S.-Lao joint investigative team departs for Bokeo via an overnight stay in Luang Prabang.

01 July 1999: U.S.-Lao joint team arrives in Ban Huay Xai, Bokeo province. (Note: flight cancellations are responsible for the delayed arrival.)

02-05 July 1999: U.S.-Lao joint team conducts investigation in Ban Huay Xai.

06 July 1999: U.S.-Lao joint team returns to Vientiane. The team suggests following up leads in Thailand.

07 July 1999: Staffers from HIRC and SFRC meet with senior Lao officials from the Ministries of Foreign Affairs and Interior to review progress in the investigation and to reiterate USG concern.

07-13 July 1999: Assistant Legal Attaché in Bangkok heads up continuation of investigation in Thailand.

14 July 1999: Assistant Legal Attaché travels to Chiang Mai to continue investigative efforts and to interview witnesses.

16 July 1999:

- U.S. Charge in Vientiane raises the case with the Lao MFA's Permanent Secretary, who acknowledges the importance of the case and promises to follow up.
- DIA briefs HIRC/SFRC staffers.

19 July 1999: U.S. Embassy Vientiane task force meets to review investigative efforts and to consider next steps.

20 July 1999: U.S. Embassy Vientiane contacts head of Lao team for joint investigation for a meeting of the joint team to review findings and discuss next steps (per original investigation plan). Head of Lao team responds following day that other members of joint team are out of town; a meeting day may be possible after Buddhist Lent (July 28).

21 July 1999:

- During her initial call on MFA America's Department Director General, newly arrived U.S. Charge again reiterates Embassy concern about this case.
- Embassy formally requests a meeting of the U.S.-Lao joint investigative team.

29 July 1999: Congressman Mark Green of Wisconsin sends a letter to the Department of State requesting a meeting with members of Houa Ly's family.

30 July 1999:

- U.S. Chargé in Vientiane calls on MFA's Americas Department Acting Director General (Amphone) and repeats request for follow-up meeting of U.S.-Lao joint investigative team.
- U.S. Embassy sends diplomatic note to MFA requesting a follow-on visit for Assistant Legal Attaché to continue field investigations based on information developed from recent inquiries conducted in Thailand.
- DIA briefs Representative Mark Green and various staffers.
- Lao Human Rights Council, Inc. provides Department of State with its "Report on the Fact-Finding Mission to Thailand, June 17-July 8" on the missing Americans.

04 August 1999: EAP Deputy Assistant Secretary Skip Boyce (joined by desk officer and Consular Affairs representative) brief Congressman Mark Green (R-WI).

05 August 1999: U.S Embassy official in Vientiane meets with Director for Consular Affairs at the Lao MFA to discuss meeting of joint investigative team.

05-06 August 1999: Investigative efforts in Bangkok continue.

09 August 1999: EAP Assistant Secretary Stanley Roth calls in Lao Ambassador to express our dissatisfaction with the pace of the investigation.

18 August 1999: Lao MFA, Director of Consular Affairs calls in U.S. consular officer to discuss the case.

19 August 1999: Lao MFA member of the joint team calls Embassy to confirm meeting of the joint investigative team

on August 26. Lao MFA member also says that Lao Ministry of Interior is working on assistant legal attache's follow up visit to Ban Huay Xai.

20 August 1999: Embassy task force convenes to discuss strategy for August 26 meeting. Embassy requests Department's input.

23 August 1999: State Department follows up with Lao Embassy to reiterate the need for quick approval of assistant legal attache's visit to the region.

24-25 August 1999: U.S. officials in Chiang Mai, Thailand consult with Thai officials near the Lao border, but discover no new information.

26 August 1999: Joint U.S.-Lao investigative team meets in Vientiane. The Lao request a list of places to visit and people to interview in Ban Huay Xai.

27 August 1999: Interagency group meets at the State Department to discuss next steps.

01 September 1999: Embassy officials in Vientiane submit a diplomatic note to Lao officials with a list of locations and people to see in Ban Huay Xai. State Department officials try to facilitate FBI briefings for the families of the two missing Americans.

02 September 1999: Senator Shelby, during a visit to Laos, presses the Lao Deputy Prime Minister and Foreign Minister to do everything possible to resolve this case. The Foreign Minister replied that the Lao government has no information the two entered Laos, but would continue its investigative efforts.

07 September 1999: Congressman Mark Green writes to the State Department to request the release of classified and other documents pertaining to Mr. Ly to the Ly family.

09 September 1999: State Department officials meet with Dr. Vang Pobzeb of the Lao Human Rights Council to discuss this case.

13 September 1999: Article appears in Bangkok Post entitled, "Cash-toting, armed U.S. men missing."

17 September 1999: U.S. consular officer in Vientiane meets with Lao MFA Consular Affairs Director to discuss Embassy's outstanding request for second visit to Bokeo. Lao officials apologizes for delay in responding to Embassy's August 30 dip note and promises to respond soon in writing.

20 September 1999: State Department official calls the Lao Embassy to request their assistance in expediting the request for travel to Bokeo.

23 September 1999: Article appears in the Fresno Bee entitled, "Protesters seek return of Fresno man."

27 September 1999: EAP A/S Stanley Roth meets with Lao FM during an UNGA bilateral meeting to discuss this case. Embassy in Vientiane attempts to contact Consular Affairs chief at MFA to press for a response to our diplomatic note requesting the second trip to Huay Xai.

01 October 1999: U.S. Chargo in Vientiane calls on MFA Americas Acting DG to press for a quick decision on the joint investigation team's proposed visit to Huay Xai.

04 October 1999: Visiting Office Director for Burma, Cambodia, Laos, Thailand and Vietnam meets with Permanent Secretary of the Lao MFA and Director-General of the Americas department to press for a second trip to Huay Xai.

07 October 1999: Embassy officials in Vientiane consult with Thai Embassy officials in Laos about this case. The Thai officials express their concern and agree to continue to work with the U.S. Embassy in Bangkok.

08 October 1999: Lao MFA official calls in consular officer to discuss the trip to Huay Xai. The GOL approved a second joint field investigation with certain conditions.

12 October 1999: Embassy Vientiane's task force meets to discuss the Lao government's response.

13 October 1999: Embassy Vientiane consults with legat's office in Bangkok and requests Department's input before responding to Lao government. Department officials meet with family members at a meeting hosted by Rep. Green.

14 October 1999: Department relays to Lao Embassy our concerns about continued GOL cooperation.

15 October 1999: Department instructs Embassy in Vientiane to try to mitigate the conditions for the second trip, but to impress upon the Lao the need to set a date as soon as possible.

18 October 1999: Embassy requests a meeting of the joint investigative team.

22 October 1999: Embassy officials and Legal Attache from Bangkok meet with Lao MFA Director of Consular Affairs to discuss second field trip to Huay Xai. The Lao official does not commit to a date and requests a second meeting, to include more Lao officials, for October 27, the next working day after the two day Lao holiday.

27 October 1999: Embassy officials meet with Lao officials to discuss issues of access and conditions. The team is able to resolve most issues. The joint team is set to depart for Huay Xai November 14 or 15.